

The Chair is of the opinion that in determining the parliamentary question which is raised, it is impossible for him to go back of the act of Congress of 1903 and consider any agreements, awards, or settlements which may have been made prior thereto. The Congress has spoken upon the question, and it is not within the province of the Senate to set aside, nor is it within the province of the Chair to ignore, its deliberate, conclusive action. It is provided in the act as follows:

"In pursuance of the provisions of section 26 of an act to ratify and confirm an agreement with the Muskogee or Creek Tribe of Indians, and for other purposes, approved March 1, 1901, there is hereby awarded, as a final determination thereof on the so-called 'loyal Creek claims' named in said section 26, the sum of \$600,000, and the same is hereby appropriated out of any money in the Treasury not otherwise appropriated, and made immediately available."

Congress, in order, apparently, to leave no doubt as to its purpose and the effect of the act, provided:

"That said sum shall be accepted by said Indians in full payment and satisfaction of all claim and demand growing out of said loyal Creek claims, and the payment thereof shall be a full release of the Government from any such claim or claims."

Unless this act has been very materially modified or repealed by a subsequent act it stands as the supreme law, and standing as it does, it negatives the suggestion that the pending amendment is to carry out an existing law or treaty stipulation.

The Chair is clearly of opinion that the amendment can not be entertained under the third paragraph of Rule XVI. It proposes to change a general law. Therefore, it is in the nature of general legislation, and is obnoxious to the rule.

In view of the foregoing considerations, the Chair sustains the point of order made by the Senator from Kansas and the point of order interposed by the Senator from Massachusetts.

Mr. McCUMBER. Mr. President—

The VICE PRESIDENT. Has the Senator from Kansas concluded?

Mr. CURTIS. That is the point of order I make, and that is all I desire to say on the point of order at this time.

The VICE PRESIDENT. The Senator from North Dakota.

Mr. McCUMBER. Mr. President, I had hoped that probably the present occupant of the chair would not attempt to perpetuate any possible error that might previously have been made in passing upon identically the same question.

Mr. OWEN. Mr. President—

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. McCUMBER. I yield.

Mr. OWEN. This is a matter of very great importance to the people of Oklahoma. It has been pending a good long while, and it will be pending forever, until it is paid. The money is undoubtedly due. Nobody can deny its merits. And since the matter is about to be presented by the Senator from North Dakota on the point of order, I think it very important that the Senate understand it. There is not a quorum present.

Mr. McCUMBER. I will say to the Senator that I intend to make the matter clear.

Mr. OWEN. It would be made clear whenever the Senator speaks, but it would be made clear to so small a number that when it comes to a question of voting on this matter, if it is put to a vote of the Senate, which I think may properly be done under the rule, the Senate will not have heard what the Senator from North Dakota will have said in regard to it; and for that reason I think it would be desirable to have a quorum present.

Mr. CLAPP. Before any such suggestion is made—

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. McCUMBER. I yield.

Mr. CLAPP. Before any suggestion is made with reference to a quorum I desire to say that to-morrow morning at the conclusion of the reading of the Journal I shall ask the Senate to proceed with the consideration of the bill. I make that statement now, before anything further is done.

Mr. OWEN. I hope it will meet with the approval of the Senator from North Dakota to have a quorum present when he presents this matter. It is a very important matter, and I think the Senate ought to pass on it with the understanding it will receive from the explanation made by the Senator from North Dakota.

Mr. McCUMBER. I concur in the suggestion that has been made by the Senator from Oklahoma not only because I think there should be present all Senators who are compelled to vote on this proposition, but because I also think that it brings up before the Senate a question with respect to the rules upon which Senators themselves evidently disagree, and I should like to see the question settled not alone by the Presiding Officer but also by the Senate as to what that rule shall be.

I simply wanted to call the attention of the Chair to the fact that this is carrying out the stipulations of a treaty, and I am perfectly willing to rest it upon that proposition. This bill is filled with provisions making payments, carrying out the provisions of treaty stipulations duly entered into between this Government and Indian tribes, except that they call them contracts now rather than treaties.

I concur in the suggestion made by the Senator, and I will yield if he desires to have a call of the Senate.

Mr. OWEN. I raise the question that there is no quorum present.

Mr. CLAPP. Before that is done—

The VICE PRESIDENT. Will the Senator from Oklahoma withhold the suggestion?

Mr. OWEN. I withhold the suggestion.

Mr. CLAPP. I suggest that the bill be laid aside, and unless some Senator wishes to bring up some matter I will move—

Mr. HALE. Let us have an executive session.

Mr. CLAPP. Very well; I yield to the Senator from Maine for that motion.

EXECUTIVE SESSION.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 24, 1911, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 23, 1911.

POSTMASTERS.

MAINE.

William M. Stuart, Newport.

MICHIGAN.

William J. Morrow, Port Austin.

OHIO.

Augustus M. Barker, Rock Creek.

John W. Bath, Elyria.

Samuel H. Bolton, McComb.

H. C. Drinkle, Lancaster.

James R. Hopley, Bucyrus.

F. G. Hunker, Middleport.

Jacob C. Irwin, Degraff.

Henry M. Jacobs, Gambier.

John A. Lowrie, Seville.

J. S. McKnight, Miamisburg.

Thomas J. McVey, East Youngstown.

David C. Mahon, Dennison.

E. W. Marvin, Ravenna.

Charles A. Moody, Painesville.

Morgan Neath, Wadsworth.

H. S. Orr, Medina.

J. Warren Prine, Ashtabula.

John J. Roderick, Canal Dover.

George G. Sedgwick, Martins Ferry.

Seth M. Snyder, Coshocton.

Charles J. Thompson, Defiance.

D. L. Webb, Greenwich.

George W. White, Uhrichsville.

Warren W. Williams, Jeffersonville.

HOUSE OF REPRESENTATIVES.

MONDAY, January 23, 1911.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of Sunday, January 22, 1911, was read and approved.

ORDER OF BUSINESS.

Mr. WEEKS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill (H. R. 31539).

Mr. SMITH of Michigan. Mr. Speaker—

The SPEAKER. One moment. The gentleman from Massachusetts moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Post Office appropriation bill. The gentleman from Michigan—

Mr. SMITH of Michigan. Mr. Speaker, I would like to be heard a moment on this motion.

Mr. SULZER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. Will the gentleman from Massachusetts [Mr. WEEKS] withhold his motion for a moment?

Mr. WEEKS. I understand that this motion is not debatable, but if the gentleman from Michigan wishes to make a statement I will withhold it.

The SPEAKER. The gentleman from Massachusetts withholds his motion temporarily.

Mr. SULZER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SULZER. Under the rule is this not District day?

The SPEAKER. Oh, yes; under the rule it is District day, but under the rules it is also a day for the consideration of business presented by other important committees having privileged reports, if the House desires.

Mr. SULZER. Mr. Speaker, I hope the motion of the gentleman from Massachusetts will be voted down.

The SPEAKER. That is not a parliamentary inquiry. It is for the House to determine, as it can do and has done in the whole history of the House for 40 years, to the knowledge of the present occupant of the chair, where privileged business, under the rules, and other privileged business, under the rules, is presented, as to which business it will consider.

Mr. SMITH of Michigan. Mr. Speaker, it is well known that, under the rule, to-day is set apart for the consideration of District of Columbia business. This committee during the last session had frequent meetings, not only in the forenoon, but some in the afternoon and quite a number in the evening, that they might report the bills now upon the calendar affecting the District of Columbia. There are now 28 bills upon the calendar. During the last session the committee was deprived of three of its regular District days; days which are set apart, under the rules of the House, for the consideration of legislation affecting the District of Columbia. The chairman of the District Committee sought at other times to get unanimous consent to dispose of the bills upon the calendar; that was denied. We lost the 26th of December by reason of the fact that it came during the holiday vacation. Since the vacation this committee has had only one day, which was consumed in the passage of the inheritance-tax bill. Two weeks ago the committee was again deprived of time, which was justly its due, by reason of the fact that two privileged motions were introduced, and the day was taken until almost 4 o'clock, at which time District business was considered. The teachers' retirement bill was taken up, and, through the kindness of the Members, the House remained in session until about 6.30 p. m. The following statement, taken from the Evening Star of January 21, will give more in detail how the committee has been deprived of an opportunity to present its business for the consideration of the House and the various unsuccessful efforts that have been made to secure additional time outside of the regular District days:

MAY LOSE DAY AGAIN—DISTRICT BUSINESS LIKELY TO BE PUSHED ASIDE MONDAY—PLAN OF HOUSE LEADERS—TWENTY-EIGHT LOCAL MEASURES ON THE CALENDARS—STEAM ROLLER THREATENED—CHAIRMAN SMITH HOPEFUL THAT CONSIDERATION MAY BE OBTAINED FOR PENDING BILLS.

The House Committee on the District of Columbia will probably be steam-rolled next Monday, which, according to the calendar of the House of Representatives, should be District day and devoted entirely to the consideration of local business. The Republican leaders in the House have pretty nearly decided to take this District day away from the committee. They are oiling up the roller and making certain that it is in good working order.

Of course, the experience of being steam-rolled will not be new to the District Committee, of which Representative SAMUEL W. SMITH of Michigan is chairman. In fact, during the second session of the present Congress, and up to date in the present session, the committee has been denied its rights on many occasions.

Chairman SMITH is particularly concerned that the business of his committee should not be interfered with just now. There are 28 measures of local interest and importance now pending on the several calendars of the House, and Mr. SMITH believes that if the committee is allowed to have, without interruption, the three District days due between now and the 4th of March it will be possible to clean up the slate.

LITTLE TIME GIVEN TO THE DISTRICT.

Here is a little record of happenings on District days from May 9, which was the last District day in the second session of this Congress, up to the present time. May 23, which according to the calendar was a regular District day, the sundry civil bill, by arrangement of the House leaders and by a vote of a majority of the body, was taken up for consideration, local business being displaced.

June 13, the next regular District day, was devoted, as a result of the same steam-rolling process, to consideration of the general deficiency appropriation bill.

Congress adjourned before another District day came around. But in the meantime Chairman SMITH had been trying to get the House to set aside days for District business in lieu of those of which the House had robbed the committee. May 23 he asked that a day—any day—be set aside for the consideration of local measures. Representative JOHNSON of Kentucky, a Democratic member of the committee, objected. After Mr. SMITH had argued with that gentleman and had induced him to withdraw his objection, Representative CHAMP CLARK of Missouri, the minority floor leader, objected. May 31 Mr. SMITH again preferred a similar request. Representative STAFFORD of Wisconsin objected. June 2 Mr. SMITH tried again, but Representative MANN of Illinois objected. June 4 Mr. MANN again objected, and June 20 both Representative MANN and Representative SHERLEY of Kentucky objected.

PART OF ONE DAY THIS SESSION.

The first District day this session was entirely taken up by consideration of the inheritance-tax bill, which was passed. December 13 the District of Columbia Committee was allowed one hour, and six minor measures went through by unanimous consent.

The next District day, December 26, came during the recess.

January 9, the next regular day, practically all the time of the session was taken up by a fierce row on the rules. The little time left was devoted to consideration of the teachers' retirement bill, which is still pending on the calendar.

Chairman SMITH is hopeful that the leaders of the House can be brought to an appreciation of the injustice that is done to the District of Columbia by these repeated steam-rolling processes and will permit the calendar of 28 local measures, which will die with the present Congress unless affirmative action is taken, to come up for consideration before adjournment.

I hope that the motion of the gentleman from Massachusetts will be voted down and that the Committee on the District of Columbia may be given all the time of this legislative day.

Mr. MANN. Will the gentleman yield for a question?

Mr. SMITH of Michigan. Certainly.

Mr. MANN. As I understand, it is a question whether we shall make provision for the postal service for the next year or pass the teachers' retirement bill.

Mr. SMITH of Michigan. No; it is not that question at all. It is simply a question of meeting earlier, or having some evening sessions, if necessary, for the consideration of appropriation bills.

Mr. MANN. That may be a question later.

Mr. SMITH of Michigan. If the House would, even at this time in the session, meet at 11 o'clock, it could save one day each week, and we could have evening sessions if necessary.

Mr. MANN. The question now is whether we shall make provision for the postal service or consider—not pass—the teachers' retirement bill.

Mr. SMITH of Michigan. If it was not the Post Office appropriation bill it would be some other appropriation bill of course—anything to crowd out District of Columbia business.

Mr. MANN. The gentleman ought to know it was never intended that the District of Columbia Committee should, in the closing days of a Congress, have Mondays as against appropriation bills which we must pass if we do not have a special session of Congress.

Mr. MADDEN. Mr. Speaker—

Mr. WEEKS. I will yield to the gentleman from Illinois.

Mr. MADDEN. Mr. Speaker, I think the people of the District of Columbia are entitled to some consideration at the hands of this House. They have no other legislative body through which they can transact their business. The rules of the House provide that the District shall be given every other Monday. It does not seem to me that the people of the District of Columbia should be discriminated against any more than the people of any other section of the Union. For some time past the District Committee has been shunted out of its place at every opportunity. No consideration whatever has been given to the business of the District. The session is coming to a close. It is true the Post Office appropriation bill is important, but it is also true that there is no danger of its failure to pass. Important as the Post Office appropriation bill is, it is quite as important to the people of the District that the matters in which they are interested should be given consideration. I think they justly feel that they are not being given the consideration to which they are entitled.

Mr. KENDALL. The gentleman from Illinois assumes that there are 24 legislative days in the month, and provision is made for one-twelfth of that time to be occupied by the District of Columbia. What authority has the gentleman for saying that the District is being discriminated against in comparison with other communities in the country?

Mr. MADDEN. I make the statement, based on the fact that the rules provide that the District shall have certain days. The District has not had those days, and I make the statement simply because I believe personally that we have not been treating the District fairly.

Mr. KENDALL. Is not the gentleman himself more responsible than any other Member on the floor?

Mr. MADDEN. Not at all; I have always been in favor of giving the District its day.

Mr. KENDALL. The gentleman has kept his attitude concealed very carefully.

Mr. MADDEN. Not at all; I have not had anything to do with dispensing with the consideration of District business on these days or dispensing with District days, as provided under the rule. I think now that this House should proceed to the consideration of the business of the District of Columbia, in preference to the consideration of the Post Office appropriation bill, and I hope it will.

Mr. WEEKS. Mr. Speaker, I made this motion not with any purpose of filibustering or sidetracking legislation from any other committee. I am personally in favor of much of the legislation the District Committee has on the calendar, but everybody knows that we have but 35 more legislative days, that there are several large appropriation bills to be considered, that

these bills are of paramount importance, and that they should be hastened as much as possible, so that the Senate may give them suitable consideration, and it is for that reason that I made the motion, which I now renew.

The SPEAKER. The question is on the motion of the gentleman from Massachusetts that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill.

The question was being taken, when Mr. SMITH of Michigan and Mr. OLCOTT demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 191, nays 105, answered "present" 7, not voting 82, as follows:

YEAS—191.

Adair	Driscoll, M. E.	Hull, Iowa	Rainey
Adamson	Durey	Hull, Tenn.	Randall, Tex.
Anderson	Dwight	Humphreys, Miss.	Reeder
Ansberry	Edwards, Ga.	Jamieson	Robinson
Anthony	Ellerbe	Johnson, Ky.	Roddenberry
Barclay	Ellis	Jones	Rodenberg
Barnard	Elvins	Kendall	Rucker, Colo.
Barnhart	Englebright	Kennedy, Iowa	Rucker, Mo.
Bartlett, Ga.	Estopinal	Kennedy, Ohio	Scott
Beall, Tex.	Ferris	Kinkaid, Nebr.	Sheppard
Bell, Ga.	Finley	Kinkaid, N. J.	Simmons
Boehne	Flood, Va.	Kitchin	Sisson
Bowers	Floyd, Ark.	Lamb	Slomp
Bradley	Forney	Lawrence	Small
Brantley	Fornes	Lee	Smith, Iowa
Burgess	Foss	Lever	Smith, Tex.
Burleigh	Foster, Ill.	Lively	Sparkman
Burleson	Foster, Vt.	Lloyd	Sperry
Burnett	Gardner, Mass.	Loud	Stafford
Byrd	Gardner, Mich.	Lowden	Stanley
Byrns	Garner, Tex.	McCreary	Stephens, Tex.
Calder	Garrett	McGuire, Okla.	Stevens, Minn.
Calderhead	Gillett	McHenry	Sturgiss
Candler	Godwin	Macon	Suloway
Cantrill	Good	Maguire, Nebr.	Swasey
Carter	Gordon	Malby	Talbot
Cassidy	Grant	Mann	Tawney
Clark, Mo.	Hamer	Maynard	Taylor, Colo.
Clayton	Hamlin	Mays	Thistlewood
Cline	Hammond	Mitchell	Thomas, Ky.
Cole	Harmon	Mondell	Thomas, N. C.
Collier	Hardy	Moon, Tenn.	Thomas, Ohio
Covington	Harrison	Moore, Tex.	Tilson
Cowles	Hawley	Morehead	Tou Velle
Cox, Ind.	Hay	Morgan, Okla.	Turnbull
Craig	Heald	Morrison	Volstead
Cravens	Heflin	Murphy	Vreeland
Creager	Helm	Needham	Watkins
Cullop	Henry, Conn.	O'Connell	Webb
Currier	Higgins	Oldfield	Weeks
Dalzell	Hollingsworth	Padgett	Wheeler
Dawson	Houston	Palmer, H. W.	Wickliffe
Dent	Howard	Payne	Wilson, Ill.
Denver	Howell, Utah	Peters	Woods, Iowa
Dickinson	Howland	Pickett	Woodyard
Dies	Hubbard, W. Va.	Pray	Young, Mich.
Dodds	Hughes, Ga.	Prince	Young, N. Y.
Draper	Hughes, W. Va.	Pujo	

NAYS—105.

Alexander, Mo.	Dupre	Korbly	Nye
Allen	Edwards, Ky.	Kronmiller	Olcott
Ashbrook	Esch	Küstermann	Page
Austin	Fish	Lafan	Pearre
Bates	Focht	Langham	Pumley
Bennet, N. Y.	Fuller	Lenroot	Pou
Bingham	Gallagher	Lindbergh	Ransdell, La.
Boohler	Glass	Livingston	Rauch
Borland	Goulden	Longworth	Rothermel
Broussard	Graham, Ill.	Lundin	Sherwood
Butler	Graham, Pa.	McDermott	Sims
Campbell	Griest	McKinney	Slayden
Carlin	Gronna	McLachlan, Cal.	Smith, Mich.
Cary	Guernsey	McMorran	Steenerson
Chapman	Hamilton	Madden	Sterling
Clark, Fla.	Haugen	Madison	Sulzer
Conry	Havens	Martin, Colo.	Taylor, Ohio
Cooper, Pa.	Hayes	Martin, S. Dak.	Townsend
Cooper, Wis.	Henry, Tex.	Massey	Wallace
Cox, Ohio	Hinshaw	Miller, Kans.	Wanger
Crow	Howell, N. J.	Miller, Minn.	Weisse
Crumacker	Hubbard, Iowa	Morgan, Mo.	Wiley
Davidson	Joyce	Morse	Wilson, Pa.
Davis	Kahn	Moss	Wood, N. J.
Diekema	Kelfer	Moxley	
Dixon, Ind.	Knowland	Nelson	
Driscoll, D. A.	Kopp	Norris	

ANSWERED "PRESENT"—7.

Alexander, N. Y.	Boutell	McCall	Saunders
Ames	Kelher	Moore, Pa.	

NOT VOTING—82.

Aiken	Dickson, Miss.	Gillespie	Hughes, N. J.
Andrus	Douglas	Goebel	Humphrey, Wash.
Barchfeld	Fairchild	Goldfogle	James
Bartholdt	Fassett	Graft	Johnson, Ohio
Bartlett, Nev.	Fitzgerald	Greene	Johnson, S. C.
Bennett, Ky.	Foelker	Gregg	Knapp
Burke, Pa.	Fowler	Hamill	Langley
Burke, S. Dak.	Gaines	Hardwick	Latta
Capron	Gardner, N. J.	Hill	Law
Cocks, N. Y.	Garner, Pa.	Hitchcock	Legare
Coudrey	Gill, Md.	Hobson	Lindsay
Denby	Gill, Mo.	Huff	Loudenslager

McCredie	Olmsted	Richardson	Snapp
McKinlay, Cal.	Palmer, A. M.	Riordan	Southwick
McKinley, Ill.	Parker	Roberts	Spight
McLaughlin, Mich.	Parsons	Sabath	Taylor, Ala.
Millington	Patterson	Shackelford	Underwood
Moon, Pa.	Poindexter	Sharp	Washburn
Mudd	Pratt	Sheffield	Willett
Murdock	Reid	Sherley	
Nicholls	Rhinock	Smith, Cal.	

The motion was agreed to.

The Clerk announced the following pairs:

For this session:

Mr. ANDREWS with Mr. RIORDAN.

Mr. AMES with Mr. AIKEN.

Until further notice:

Mr. McCALL with Mr. JAMES.

Mr. SHEFFIELD with Mr. SHARP.

Mr. BARTHOLOTT with Mr. JOHNSON of South Carolina.

Mr. COCKS of New York with Mr. LAMB.

Mr. CAPRON with Mr. REID.

Mr. BURKE of South Dakota with Mr. SAUNDERS.

Mr. MILLINGTON with Mr. LINDSAY.

Mr. KNAPP with Mr. SHERLEY.

Mr. ALEXANDER of New York with Mr. BARTLETT of Nevada.

Mr. BARCHFIELD with Mr. DICKSON of Mississippi.

Mr. BURKE of Pennsylvania with Mr. FITZGERALD.

Mr. DENBY with Mr. GILL of Maryland.

Mr. FAIRCHILD with Mr. GILL of Missouri.

Mr. GAINES with Mr. GILLESPIE.

Mr. GARDNER of New Jersey with Mr. GOLDFOGLE.

Mr. GREENE with Mr. GREGG.

Mr. HILL with Mr. HAMILL.

Mr. FASSETT with Mr. HARDWICK.

Mr. MOON of Pennsylvania with Mr. HITCHCOCK.

Mr. HUFF with Mr. HOBSON.

Mr. HUMPHREY of Washington with Mr. HUGHES of New Jersey.

Mr. JOHNSON of Ohio with Mr. LATTI.

Mr. LANGLEY with Mr. LEGARE.

Mr. LOUDENSLAGER with Mr. NICHOLLS.

Mr. MCKINLEY of Illinois with Mr. A. MITCHELL PALMER.

Mr. McLAUGHLIN of Michigan with Mr. PATTERSON.

Mr. OLMSTED with Mr. RICHARDSON.

Mr. MURDOCK with Mr. RHINOCK.

Mr. ROBERTS with Mr. SPIGHT.

Mr. PRATT with Mr. SHACKLEFORD.

Mr. SOUTHWICK with Mr. UNDERWOOD.

Mr. SMITH of Colorado with Mr. TAYLOR of Alabama.

Mr. SNAPP with Mr. WILLETT.

Commencing 3 p. m. to-day, ending Thursday noon:

Mr. LAW with Mr. SABATH.

From January 16 to January 24:

Mr. WASHBURN with Mr. KELIHER.

The result of the vote was announced as above recorded.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill (H. R. 31539), with Mr. STEVENS of Minnesota in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill. There are pending amendments, to which the gentleman from Massachusetts [Mr. WEEKS] has reserved the point of order.

Mr. WEEKS. Mr. Chairman, I ask unanimous consent to recur to the paragraph on page 21, relating to railway post-office cars, which was passed on Saturday without prejudice.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WEEKS. Mr. Chairman, to this paragraph there was an amendment pending, offered by the gentleman from West Virginia [Mr. HUGHES], and also an amendment offered by the gentleman from Indiana [Mr. COX].

Mr. COX of Indiana. Mr. Chairman, my amendment, I do not believe, is pending. It was read for information in the record.

Mr. MANN. The amendment was not offered.

Mr. WEEKS. The Post Office Committee have been considering this subject this morning, and I have an amendment which I wish to offer as a substitute for the amendment offered by the gentleman from West Virginia [Mr. HUGHES], relating to the construction of cars.

Mr. NORRIS. Mr. Chairman, I make the point of order that I have already offered a substitute to the amendment offered by the gentleman from West Virginia.

Mr. WEEKS. Oh, I beg the gentleman's pardon; I had overlooked the amendment that he offered, which is pending.

Mr. NORRIS. But I want to call the gentleman's attention to the fact, which I think exists, that a point of order was re-

served against the amendment offered by the gentleman from West Virginia, so that neither my amendment nor the amendment of the gentleman from Indiana [Mr. Cox], nor the substitute offered by the gentleman from Massachusetts, would be in order until that point of order is disposed of.

Mr. WEEKS. I ask unanimous consent that the amendment which I send to the Clerk's desk may be reported for the information of the committee.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

Insert: "And provided further, That hereafter additional equipment accepted for this service shall be of steel construction, built in accordance with plans and specifications approved by the Post Office Department. This provision, however, shall not affect the acceptance of equipment now under construction for this purpose, the plans and specifications for which have been approved by the Post Office Department."

Mr. MANN. Mr. Chairman, a parliamentary inquiry. Under the unanimous consent given is this just read for information?

The CHAIRMAN. For information only.

Mr. COX of Indiana. Will the gentleman from Massachusetts yield for a moment?

Mr. WEEKS. I yield to the gentleman.

Mr. COX of Indiana. Mr. Chairman, I would like to send to the Clerk's desk an amendment I propose to offer in the event the parliamentary status will open itself for that purpose, and I ask unanimous consent that I may have the amendment read for the information of the House.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to have read an amendment for information. Is there objection?

There was no objection.

The Clerk read as follows:

Page 21, line 10, strike out the proviso and insert:

"Provided, That hereafter all railway postal cars shall be built and constructed under the supervision and direction of the Postmaster General, and all such railway postal cars shall be built and constructed of steel, and that one-fourth of said railway postal cars shall be so built and constructed by January 1, 1913, and one-fourth shall be built and constructed by January 1, 1914, and one-fourth shall be built and constructed by January 1, 1915, and the remaining one-fourth shall be built and constructed by January 1, 1916: *Provided further*, That no part of this amount shall be paid for rent or use of any car which is not sanitary."

Mr. WEEKS. Mr. Chairman, I have another amendment to this paragraph, which I ask to have read for information.

The CHAIRMAN. The gentleman from Massachusetts asks to have an amendment read for information. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the amendment.

The Clerk read as follows:

And provided further, That hereafter no part of this appropriation shall be paid for rental of any wooden mail car placed in connection with and ahead of a steel car.

Mr. MADDEN. Mr. Chairman, I would like to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MADDEN. I would like to have this read again, so I can understand what it means.

The CHAIRMAN. Without objection, the Clerk will report the last amendment for information.

The Clerk read as follows:

And provided further, That hereafter no part of this appropriation shall be paid for rental of any wooden mail car placed in connection with and ahead of a steel car.

Mr. MADDEN. Mr. Chairman, I would like to understand just what the language means.

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Illinois?

Mr. WEEKS. For a question.

Mr. MADDEN. I would like to know what the language means.

Mr. WEEKS. The language means hereafter there shall not be paid rental for any railway post-office car which is placed ahead of a steel car on any train.

Mr. MADDEN. You mean a wooden car?

Mr. WEEKS. I mean a wooden car.

Mr. MADDEN. Placed in front of a train—

Mr. WEEKS. Placed ahead of a steel car in a train.

Mr. MADDEN. Can it be placed between two steel cars?

Mr. WEEKS. Of course it can not; it can not be placed ahead of a steel car.

Mr. COOPER of Wisconsin. The amendment provides that no rental shall be paid for a wooden railway post-office car placed in connection with and ahead of a steel car. Suppose that there were two wooden cars, the one behind might be "connected with" a steel car in the rear, but the other wooden car, the one in front—a railway post-office car—would not be con-

nected with the steel car, and yet in a collision it would be smashed to splinters.

Mr. WEEKS. If the steel cars are behind the railway post-office car, the car must be of steel construction.

Mr. COOPER of Wisconsin. Under the proposed amendment there might be two wooden cars, and only one of these be at the same time connected with and ahead of the steel car. The other one would be simply ahead of but not connected with the steel car.

Mr. WEEKS. It is the intention it shall cover any cars behind a railway post-office car.

Mr. COOPER of Wisconsin. The intent may be good, but the language does not carry it out. The language is, "Shall not be in connection with and ahead of." Now, if there were three wooden cars on a train and the fourth were a steel car, only one wooden car would be both "connected with and ahead of" the steel car. The other two would be ahead of the steel car, but neither would be connected with the steel car. There might be only a wooden express car or some other of that sort between the wooden postal car and four or five steel cars in the rear. Connected with and behind would not cover a separated car in front of these steel cars.

Mr. HULL of Iowa. I think they are all in connection. Every one of the wooden cars is connected with the steel car.

Mr. COOPER of Wisconsin. No—

Mr. HULL of Iowa. But it says connected with any behind. The idea is they are all connected together so it can not be connected with or behind any steel car. To strike out "connected with" would be better still.

Mr. CULLOP. Is there any provision made in regard to the rental for these cars?

Mr. WEEKS. There is no change in the old provision which has obtained for the last two or three years.

Mr. CULLOP. What is the rental for cars annually?

Mr. WEEKS. The rental depends upon the length of the car. For cars 40 feet in length the rental per mile per annum is \$25, for cars 45 feet in length it is \$27.50, for 50-foot cars it is \$32.50, and for cars 55 feet in length it is \$40.

Mr. CULLOP. One other question. What is the length of the steel cars?

Mr. WEEKS. They are of various lengths, as are other cars, though they are generally longer, because the tendency is to build longer cars. Some of them are as many as 60 feet in length.

Mr. CULLOP. One other question. Your amendment, as I understand it, provides that no part of this appropriation shall be paid for rental of other than steel cars.

Mr. WEEKS. If wooden cars are placed in trains ahead of steel cars, no rental shall be paid. And the original amendment which was read was to the effect that hereafter in furnishing new equipment the railroads shall furnish steel equipment, but that shall not apply to the equipment which is now under construction, a portion of which has steel underframes, but is not an entire steel car.

Mr. CULLOP. On the trunk roads the trains are usually made up of steel cars, are they not?

Mr. WEEKS. Not usually. On the Pennsylvania Railroad—

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CULLOP. Mr. Chairman, I ask that his time be extended five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WEEKS. All trains going into the New York tunnel on the Pennsylvania Railroad are of steel, but I do not think many trains on other railroads are entirely of steel. The Pennsylvania has more steel cars than any other system at this time.

Mr. CULLOP. If this amendment is adopted, would there be enough steel cars in use by the 1st of July to accommodate the postal service under it?

Mr. WEEKS. This amendment which I have offered would not make any difference with the cars now in service. It simply provides that the equipment hereafter shall be of steel.

Mr. CULLOP. I understand from the amendment that no part of this appropriation shall be paid for wooden cars used in trains where steel cars make up any part of it.

Mr. WEEKS. That is true. There are two amendments offered as committee amendments.

Mr. MARTIN of Colorado. I wanted to ask, in connection with the first amendment, which provides for the construction, if the gentleman has any idea how many cars have now been contracted for which would be excepted from the operation of the amendment, and what proportion they bear to the total number of cars in use.

Mr. WEEKS. I can give that information exactly. On the 30th of June last there were 134 all-steel cars in the Railway Post Office Service, out of a total of 1,114, and there were 34 cars with steel underframes in the service. There were under construction at that time 135 all-steel full railway mail cars, 87 all-steel cars for compartment service, and 53 steel underframe railway post-office cars. It is not stated how many cars of wood were being built, but I wish to say to the gentleman and to the committee that even when cars are constructed of wood they are constructed so that the floors of the cars are reinforced with steel plates, and the ends of the cars and the corners of the cars have steel uprights or corner posts as large as a steel rail, so that they are much stronger than the wooden cars which are now in service, and probably stronger than the day coaches which are run on the same train.

Mr. MARTIN of Colorado. I will just say to the gentleman, in explanation of the question, it occurred to my mind whether a large number of wooden cars were being contracted for in anticipation of any change in the law.

Mr. WEEKS. There was no anticipation of a change in the law.

Mr. MARTIN of Colorado. You have not stated, and perhaps you are not able to state from the information at hand, how many wooden cars are now under contract and in the course of construction.

Mr. WEEKS. I have not the information before me, but I want to say this for the benefit of the committee, that the department has been practically insisting on one of the three classes of cars which I have described—either all-steel cars, or cars with steel underframe, or, in case of wooden cars, steel plates under the floors and steel uprights at the corners and at the ends of the cars. The department is not encouraging the building of wooden cars. In other words, the department is doing as nearly as possible what is provided for in the amendment which I have submitted.

Mr. NORRIS. Likewise provided in the amendment I have offered. But I want to ask the gentleman this question, for the purpose of information entirely: Whether or not the gentleman can give the House any information as to what the effect on wooden passenger cars would be in case of a collision where the mail car in the front was made of steel?

Mr. WEEKS. Well, if the mail car were behind the passenger car, it would have a distinctly bad effect on the car.

Mr. NORRIS. If in front?

Mr. WEEKS. If ahead, it would act as a protection to the passenger car and the passengers.

Mr. NORRIS. Is there any question about that?

Mr. WEEKS. There is no question about that.

Mr. NORRIS. If that be true, that removes some of the objections as to some of the pending amendments.

Mr. WEEKS. I asked that question this morning of the officers of the department. One objection made to the original amendment which I drew was that it would not protect a wooden car placed between two of steel.

Mr. BORLAND. Mr. Chairman, I would like to ask the chairman of the committee what provision of law there is now for the retirement of the old wooden cars.

Mr. WEEKS. The policy is to get rid of cars immediately if they are not sound in construction and sanitary. Under that policy there were retired last year 89 cars, and 740 were sent to the shop and to some extent rebuilt.

Mr. BORLAND. Was that determined by some inspection?

Mr. WEEKS. That is determined by an inspection. For instance, when the amendment offered last year by the gentleman from Tennessee [Mr. GARRETT] regarding the sanitary condition of cars became a law the department immediately sent an inspector to inspect every car in the service. They were assisted in this work, and have been during the year, by the inspectors connected with the work of the Interstate Commerce Commission, and they had had a report—at least one report—on every car in the service. There is an order outstanding that from time to time reports shall be made on those cars, especially if they develop insanitary or any unsound condition.

Mr. BORLAND. How long ago was that inspection undertaken?

Mr. WEEKS. That order was issued immediately after the last Post Office appropriation bill became law that contained the provision about sanitary cars.

Mr. BORLAND. What is the opinion of the committee as to the advisability of setting a limit when wooden cars shall cease to be used?

Mr. WEEKS. The committee is not in favor of placing any limit on that at this time. The committee believes the department is following correct lines in this matter. There is, however, a difference in the financial condition of the railroads of

this country. It would not be any burden on great systems like the Pennsylvania, the Harriman roads, or the New York Central systems to put on steel cars if manufacturers of steel cars were equipped to furnish them; but there are a great many systems other than those which are not paying dividends and which are having great difficulties in properly serving the communities where they are located. If we were to put a distinct limit at this time as to when all cars shall be steel in the Railway Postal Service the committee believes it would not be practicable or equitable.

Mr. BORLAND. Is it not true that the rental paid by the Government now for the use of railway mail cars makes a very profitable return to the railroad?

Mr. WEEKS. I will say to the gentleman from Missouri that the department has been obtaining information on the subject—a very large amount of information—which is now being tabulated. It is possible that some railroads are being paid more than the service warrants.

There is not much doubt in the minds of the members of the committee who have investigated this subject that there are many short-line railroads, especially, which are receiving less than the service actually costs them, but we need more evidence on both questions.

Mr. BORLAND. I am not going into the entire question of the payment received by railroads for carrying the mail; but on this question of the renting of cars which are built for the postal service but owned by the railroad companies, is it not true that the rental paid by the Government is a very handsome return on the investment in the cars?

Mr. WEEKS. In one sense it is and in one sense it is not. If you are going into that question, I will say the probability is that the railroads obtain from express receipts twice as much as they do from the postal service.

Mr. SULZER. May I ask the gentleman a question?

Mr. WEEKS. Yes.

Mr. SULZER. Has the gentleman any information regarding the difference in the life of a wooden mail car and of a steel mail car?

Mr. WEEKS. There is a vast difference in the conditions covering wooden mail cars—that is, in the character of the construction of the car. There are cars that will continue in service for 20 years and be in good condition. Other cars might not last more than 10 years, but there are no steel cars in the service which have been in the service long enough to warrant even the hazarding of an opinion on the life of a steel car.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. SULZER. I ask unanimous consent that it be extended five minutes.

There was no objection.

Mr. SULZER. In the opinion of the chairman of the committee, can the Government at the present time get all the steel cars it wants for carrying the mails?

Mr. WEEKS. There is no doubt as to the authority of the department to require them, but do you mean as a physical proposition?

Mr. SULZER. Yes.

Mr. WEEKS. No; I do not think it could. There is no doubt of the power of the department to impose conditions as to the kinds of cars to be furnished.

Mr. COX of Ohio. Is it not true that the two largest manufacturing concerns that turn out all kinds of cars—Barney & Smith, of Dayton, and the Pullman Co., of Chicago—are equipped now for the manufacture of steel cars?

Mr. WEEKS. Do you mean all manufacturers of cars?

Mr. COX of Ohio. No; I am speaking of the two largest concerns.

Mr. WEEKS. Car manufacturers all over the country are changing their equipment so that they can manufacture steel cars, because the demand for steel cars is increasing. There is no doubt about that, but it is undoubtedly true that up to within a year of this time many of the leading manufacturers have been unable to manufacture large numbers of steel cars.

Mr. COX of Ohio. I can say for the information of the chairman that in the city of Dayton alone a department was put into operation at a cost of over a million dollars for the specific purpose of manufacturing steel cars.

Mr. WEEKS. I do not doubt that, and I know of other plants that have been so changed recently that they can manufacture steel cars. There are one or two in New England, but they could not have done it two or three years ago.

Mr. COX of Ohio. I have no doubt that the concern in Dayton alone could supply 1,100 steel postal cars in a year, and that is the whole number of mail cars now being operated.

Mr. WEEKS. If they did not supply any other steel cars for other purposes; if they did not supply steel passenger cars and steel freight cars and steel platform cars and other cars, perhaps they could do it.

Mr. COX of Ohio. They are not making many of any other kind now.

Mr. WEEKS. I have been informed that there is one railroad company which ordered five steel postal cars and will be unable to get them until next fall.

Mr. BUTLER. What company gave that order?

Mr. WEEKS. The Chicago, Burlington & Quincy.

Mr. BUTLER. How many cars?

Mr. WEEKS. Five cars for this purpose, and they are not able to get them delivered until next fall; the reason given is that they can not get them until then.

Mr. HAMLIN. In order to clear up some little misunderstanding as to the effect of this amendment, does it provide that no wooden mail car can be used in any train that has a steel car attached to it?

Mr. WEEKS. Yes.

Mr. HAMLIN. If there is a steel Pullman attached to the train, a wooden mail car can not be used in that train?

Mr. WEEKS. No.

Mr. DAWSON. Will the gentleman yield?

Mr. WEEKS. Certainly.

Mr. DAWSON. Would the amendment of the gentleman from Massachusetts have a tendency to increase the number of steel cars in the service?

Mr. WEEKS. Yes; they must be steel cars. Last year there were 83 new steel cars furnished.

Mr. DAWSON. Would the effect of the gentleman's amendment tend to put more steel cars into the service?

Mr. WEEKS. If this amendment is adopted, it would mean the furnishing of nothing but steel cars. Now, Mr. Chairman, the gentleman from Wisconsin [Mr. COOPER] has made a point about the amendment I offered which I am inclined to think is well taken. The amendment originally contained other words which would have changed the meaning; removing them has made the amendment ineffective, so it should be rewritten.

Mr. HAMMOND. That is it. It is not the intention of the gentleman to prohibit a wooden car from being attached to a train.

Mr. MANN. Will the gentleman yield for a question in that connection? I understood the gentleman just now to state the proposition was that no wooden mail cars should be used in a train where there was a steel car in any train.

Mr. WEEKS. When the amendment was originally read it contained the word "immediately," but that word was stricken out.

Mr. MANN. I am talking about the effect of the amendment now.

Mr. WEEKS. The effect is that if there is any car in the train of steel the wooden car shall not be used.

Mr. MANN. If there is a transcontinental train, and they wanted to take on a through car, a steel car, the through car can not be put on that train.

Mr. WEEKS. It could be put on ahead of the mail car.

Mr. MANN. That would be still worse.

Mr. WEEKS. No; it would not; it is a protection if it is ahead of the mail car.

Mr. MANN. In what way?

Mr. WEEKS. Because it protects the mail car.

Mr. MANN. The gentleman must know that there is just as much danger at the head of the train as there is at the rear of the train as far as collisions are concerned.

Mr. WEEKS. If the train was made up of a locomotive, and then a steel car, the cars at the rear would be better protected than they would if the steel car was not between them and the locomotive.

Mr. MANN. Well, that depends upon whether it is a rear-end or a front-end collision.

Mr. MARTIN of Colorado. There are more front-end collisions than there are rear-end collisions.

Mr. MANN. They are about half-and-half. But as I understand, a through car on a transcontinental road, a steel car, could not be put in a train unless put at the head of the train under this amendment.

Mr. WEEKS. It could not, and I want to call the attention of the gentleman from Illinois—

Mr. MANN. Then the amendment will have to run the gauntlet of a point of order.

Mr. WEEKS. I want to call the gentleman's attention to the fact that accidents are not all due to collisions, either head-on or rear. Many accidents are caused by trains going off the

track, and in that case a steel car ahead of the wooden car is a protection.

Mr. MANN. I have been giving very careful study to the subject of railway accidents for a number of years under various resolutions, and I think the gentleman from Massachusetts is not as well informed upon the subject of railway accidents as many railway men who do not agree with him.

Mr. WEEKS. I would agree to that statement if the railway men did not agree with me, but my information is that they do.

Mr. MARTIN of Colorado. Are not most of the railway accidents to mail clerks by head-on collisions?

Mr. HAUGEN. Mr. Chairman, I would like to ask the gentleman a question.

Mr. WEEKS. I will yield.

Mr. HAUGEN. Can the gentleman tell us about the rate of pay for the Railway Mail Service?

Mr. WEEKS. A large amount of information is being prepared on the question of the rates paid for mail service on trains. That information has not been completed, has not been tabulated, and we have a provision in the bill asking for \$10,000 to be immediately available for that purpose. The probabilities are that the information will be available within three months. Then there will be a real basis for considering whether railroads are being paid too much or paid too little. Heretofore the committee have not had the information to warrant it in making any change in the method of paying for this service.

Mr. HAUGEN. Can the chairman give us any information as to how the rate compares with the rate charged by express companies and the rate paid express companies?

Mr. WEEKS. There is quite a difference in these two services. The railway companies usually receive about 50 per cent of the gross receipts of the express companies, and they only receive about 22 per cent of the gross receipts from the postal service.

Then there are other conditions that apply to these two services which make it impossible to make an accurate comparison. For instance, express companies pay for terminal facilities. They pay for trackage at the terminals, for rooms furnished if they require them. These and many other facilities are furnished to the Government by railroad companies. If a post office is within 80 rods of a railway station, anywhere, the railroad company transports the mail to and from the post office, which is a considerable burden. That is one of the strongest complaints made by the short-line railroads—that they have that burden imposed upon them, especially in cases where the country is thickly settled.

Mr. HAUGEN. Can the chairman give the gross amount charged by the express companies per pound?

Mr. WEEKS. I have not those figures at hand.

Mr. HAUGEN. My information is that express companies charge about \$3 a hundred pounds for 1,000 miles, and my understanding also is that the Government pays an average of nearly 5 cents a pound for mail matter carried for the Government.

Mr. WEEKS. The gentleman from Iowa should take this into consideration—

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. HAUGEN. I ask unanimous consent that his time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WEEKS. It is the policy of the Government to transport mail matter to every section of the country at the same rate that mail matter is transported to the nearest point. The probabilities are that there are places in the Rocky Mountains where it may cost a dollar to deliver a letter. We carry mail to San Francisco as cheaply as we carry mail from here to Baltimore. The express companies have adopted the zone system, and therefore for any stated distance it is impossible to make an accurate or even a reasonable comparison between the two services.

Mr. HAUGEN. The Postmaster General gives the average distance the mail matter is being hauled. What I was getting at was to ascertain the rates paid by the Government for carrying mail matter and the rate charged by express companies. It has been alleged here, I think by the gentleman from New York [Mr. SULZER], that we should have a parcels post, and that the express companies are now opposing parcels-post legislation. What I want to point out is this, that it would be impossible for this Government to now establish a parcels post, inasmuch as it pays the railroad companies alone upward of 5 cents a pound for carrying mail matter, and the express companies now carry express at a rate of less than \$3

a hundred for 1,000 miles, the average haul by the Government of mail matter being probably less than 500 miles.

Mr. GARRETT. Mr. Chairman, as I recall it, the gentleman from Massachusetts proposes two amendments.

Mr. WEEKS. Yes.

Mr. GARRETT. I think I understand what the last was and what it means, but I do not understand the first amendment proposed by the gentleman. What is the effect of that?

Mr. WEEKS. The effect of that would be that hereafter additional railway mail equipment shall be of steel, but that shall not affect the equipment which is now under construction.

Mr. GARRETT. Is the gentleman certain that the language will reach that? Does it provide for construction in the future or for use in the future?

Mr. WEEKS. It seemed to me that it would be sufficient to cover that requirement. I want to say to the gentleman from Tennessee that I believe the department now has ample power to make that requirement without this amendment, but this may emphasize the desire of the House on this subject.

Mr. GARRETT. Mr. Chairman, I do not know just the language, but this thought occurred to me, that where we can provide as to the use of a car, how far does our power extend in providing construction? I do not know just what the language of the proposed amendment is.

Mr. WEEKS. Then I will ask to have the amendment reported again.

Mr. GARRETT. While I am on my feet I wish to ask the gentleman if he would not be willing to accept an amendment there as to the sanitary conditions by striking out the word "sanitary"—well, I will send this to the desk and ask that it be read for information if the gentleman from Massachusetts will yield to me for that purpose.

The CHAIRMAN. Does the gentleman yield?

Mr. WEEKS. I yield.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the proposed amendment be read for information. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Line 11, page 21, strike out the word "sanitary" and insert the following:

"Equipped with sanitary drinking-water containers and toilet facilities, nor unless such car is regularly cleaned."

Mr. SMITH of Michigan. If the gentleman will accept an amendment to that—

Mr. WEEKS. Now, Mr. Chairman, in that connection—

Mr. SMITH of Michigan. Are you going to accept an amendment of that kind?

Mr. WEEKS. No; I can not. Mr. Chairman, I want to read to the committee just exactly what course the department took last year when we adopted the amendment which is now a part of the bill.

Upon the passage of this act all companies carrying the mails were duly notified of its provisions and informed that before payments are made it must satisfactorily appear that the cars conform to these requirements.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BUTLER. Mr. Chairman, I ask unanimous consent that the gentleman may have time to conclude his remarks.

Mr. MANN. I shall object to that.

Mr. HUGHES of West Virginia. Mr. Chairman, I object.

Mr. MANN. I ask unanimous consent that the gentleman may have five minutes. [Cries of "Regular order!"]

The CHAIRMAN. Regular order is demanded. The regular order is upon the amendment offered by the gentleman from West Virginia, which the Clerk will report.

The Clerk read as follows:

Page 21, line 12, after the word "construction," insert "nor for additional cars not wholly constructed of steel."

Mr. MANN. Mr. Chairman, a parliamentary inquiry. Was this the amendment offered by the gentleman on Saturday?

The CHAIRMAN. The Chair understood it is the amendment offered by the gentleman from West Virginia on Saturday, to which the gentleman from—

Mr. NORRIS. A point of order was reserved against that, and that ought to be disposed of before the amendment is taken up.

Mr. WEEKS. I will ask the Chairman to rule on the point of order.

The CHAIRMAN. The amendment reads as follows, "nor for additional cars not wholly constructed of steel," to be added after the word "construction," line 12, page 21. The proviso reads as follows:

Provided, That no part of this amount shall be paid for rent or use of any car which is not sanitary and sound in material and construction.

The amendment offered by the gentleman from West Virginia is germane to that proviso and is in order, and the point of order is overruled.

Mr. HUGHES of West Virginia. Now, Mr. Chairman, I want to say it appeared to be the consensus of opinion in the committee that my amendment went just as far as it could go as a limitation upon an appropriation bill without being subject to the point of order. It says, in effect, that no railway postal cars hereafter constructed shall be built unless constructed of steel. That will only apply to the new cars to be constructed during the next fiscal year and will in no way interfere with existing contracts. I want to read for the information of the House—

Mr. MANN. Will the gentleman yield? The gentleman offers two propositions here; that is not the proposition reported from the Clerk's desk.

Mr. HUGHES of West Virginia. It is the proposition reported from the Clerk's desk.

Mr. MANN. It is not the proposition. I think that if the gentleman will have it reported and see—

Mr. HUGHES of West Virginia. I will ask that my amendment be again reported.

The CHAIRMAN. Without objection, the amendment will be again reported. [After a pause.] The Chair hears none.

The Clerk read as follows:

Page 21, line 12, after the word "construction," insert "nor for additional cars not wholly constructed of steel."

Mr. HUGHES of West Virginia. The Clerk read the original amendment offered by me on Saturday, which was passed over without prejudice, with the point of order pending. In the meantime I prepared another amendment providing that all railway postal cars hereafter built shall be built and constructed of steel, and that on and after January 1, 1915, no railway postal cars shall be used that are not so constructed. The two are not exactly the same, I will admit, but the effect will be the same.

Mr. MANN. Perhaps so; I think not.

Mr. HUGHES of West Virginia. Now, I will say for the further information of the committee that I also offered a bill that will come regularly before the Committee on the Post Office and Post Roads, which, in substance, is the same as the provisions of the amendment drafted at the suggestion of the chairman, but which I have not yet formally offered. I will read it:

That hereafter all railway postal cars shall be built and constructed under the supervision and direction of the Postmaster General, and all such railway postal cars shall be built and constructed of steel: *Provided, however,* That one-fourth of said railway postal cars shall be so built and constructed by January 1, 1912; one-fourth by January 1, 1913; one-fourth by January 1, 1914; and the remaining one-fourth shall be built and constructed by January 1, 1915.

Now, I did not think it wise to substitute that for my first amendment, nor do I think so yet. It probably would be subject to the point of order that it is new legislation. Moreover, I think we should have fuller information on the subject, which a discussion before the committee would elicit. The object of my original amendment was to go as far as we could by way of limitation upon the appropriation for this service for the ensuing fiscal year. I am glad to observe, however, that many gentlemen think we should go further, and if I were assured that the point of order would not be made against my other amendment I should be very glad to offer it, notwithstanding it legislates for the future.

Mr. NORRIS. Will the gentleman yield to a question?

Mr. HUGHES of West Virginia. I will.

Mr. NORRIS. I would like to suggest to the gentleman that, desirable as his amendment may be, it still would not prohibit the operation of steel cars and wooden mail cars in the same train, and, therefore, as long as there are any wooden mail cars left the danger that we are trying to avoid would still exist, would it not?

Mr. HUGHES of West Virginia. No, sir; it would not.

Mr. NORRIS. If your amendment were adopted, it would only prohibit the rental of cars not made of steel that are built after this date?

Mr. HUGHES of West Virginia. Yes, sir.

Mr. NORRIS. But all those that are already made of wood could still be put in a train composed of steel cars, and therefore the danger to the men working the mail on those wooden cars would be the same as though your amendment were not adopted.

Mr. HUGHES of West Virginia. The Postmaster General has issued an order which, in time, will overcome that objection. In his report he says:

With respect to wooden cars run in steel trains or between steel cars or the engine and a steel car, the companies concerned have been notified that such operation is not favored by the department, and that within a reasonable time they will be expected to retire the wooden

cars from such service and replace them with steel cars or steel under-frame cars, and that after a definite time wooden cars so run will not be accepted and paid for by the department.

Mr. MANN. Will the gentleman yield for a question?

Mr. HUGHES of West Virginia. Yes, sir.

Mr. MANN. What is the definition of the words "additional cars?" There is nothing in the gentleman's amendment as to what is excluded by that.

Mr. HUGHES of West Virginia. What I mean is this, that last year the railroad companies furnished 86 wooden mail cars; now, I want to prohibit them from furnishing any more new wooden mail cars by providing that all additional cars—that is, new cars—put in operation during the next fiscal year, and paid for out of this appropriation shall be constructed of steel.

Mr. MANN. There is nothing in the bill in reference to this. Here is a provision that no part of this amount shall be paid for the rent or use of any car which is not sanitary and sound in material and construction. And the gentleman proposes that the additional cars—that is, cars that are not sanitary and not sound in material and construction, because those are the only additional cars—shall be built of steel. The term "additional" must remain.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. SMITH of Michigan. Mr. Chairman, I ask unanimous consent that the gentleman be given 10 minutes more.

The CHAIRMAN. Is there objection?

Mr. STAFFORD. I object.

Mr. SMITH of Michigan. I ask that the gentleman may have five minutes, then.

Mr. STAFFORD. I have no objection to five minutes. I think the gentleman will complete his remarks in that time.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. Would not the word "additional," that the gentleman uses in his amendment, relate to the context which precedes it, that the additional cars would mean cars that do not come within the description of the previous part? Those cars are cars that are sanitary.

Mr. HUGHES of West Virginia. That would not be the way I would define that question at all.

Mr. MANN. As a matter of rhetoric, I do not see any other way of defining it.

Mr. HUGHES of West Virginia. Of course the new steel cars contemplated must also meet the requirements of the context. They must be sanitary, as well as sound in material and construction. The limitation applies all the way through.

Mr. SMITH of Michigan. Mr. Chairman, I send to the Clerk's desk a letter, a copy of which I suppose every Member has received, and after it has been read I would like to ask the gentleman from West Virginia a question. Will the gentleman from West Virginia yield?

Mr. HUGHES of West Virginia. I will.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

[The Harpoon, Urban A. Walter, editor and proprietor.]

DENVER, COLO., January 20, 1911.

DEAR SIR: Under separate cover I have mailed you report of the sanitary condition of 140 full mail cars. Of these 90 per cent are shown by report submitted by the clerks who work in these cars to be insanitary. A proviso in the Post Office bill requires that these cars be sanitary, otherwise no pay to the companies. Why is not this an excellent and legitimate opportunity for Mr. Hitchcock to effect a great savings and incidentally get better cars for the service? His second assistant said, in committee hearings, that it was proposed to fine the companies \$12,000 on this score. It should be \$4,000,000, at least, of the \$5,000,000 appropriated, for 90 per cent of the cars are insanitary. Less than 5 per cent have disinfectants in connection with the open unfushed hoppers.

Lines 10 to 12, page 21, of the Post Office bill should be amended to read:

"Provided, That no part of this amount shall be paid for rent or use of any car which is not equipped with modern and sanitary drinking-water containers and toilet facilities, nor unless such car is regularly cleaned and sound in material and construction."

In this connection it should be noted that during the last year 27 clerks were killed, 98 maimed, and 617 injured. It is surely up to you to find out why Mr. Stewart proposes to deduct only \$12,000 under the old proviso for safe and sanitary cars, and also to make the proviso more stringent in this bill.

Respectfully,

URBAN A. WALTER.

Mr. SMITH of Michigan. Can the gentleman give the committee any information about the sanitary condition of these mail cars?

Mr. HUGHES of West Virginia. As far as I am able to learn the sanitary condition of the cars has been greatly improved by the Postmaster General, with the assistance of the Interstate Commerce Commission, and as far as I have been advised, outside of a letter similar to the one the gentleman has received, I have had no complaint along this line.

Now, I want to say one further word with reference to these steel cars. The chairman of the committee said that he thought the Postmaster General has authority to compel the cars to be built of steel. While the Postmaster General has authority under the general statutes to prescribe the style, character, and furnishing of railway postal cars, and in the exercise of this authority issued the notice or order which I read a few minutes ago, I deem it of great importance that Congress specifically provide that postal cars shall be built of steel. That would absolutely preclude the use of wooden cars.

Mr. MARTIN of South Dakota. Will the gentleman allow a question?

Mr. HUGHES of West Virginia. Yes, sir.

Mr. MARTIN of South Dakota. The gentleman's amendment, as I understood it, provides against all cars not constructed wholly of steel. Is it not probable that some part of the car could be constructed out of other metal and give better results than if you made the entire construction of steel?

Mr. HUGHES of West Virginia. That is the term usually used as to these kind of cars. Some objection was made to that term in the debate on Saturday, and after making investigation I find it satisfactory.

Mr. WEEKS. Will the gentleman yield?

Mr. HUGHES of West Virginia. Yes, sir.

Mr. WEEKS. I would like to have it definitely understood what the present law is in regard to the construction of cars. All cars or parts of cars used for the Railway Mail Service shall be of such style, length, and character, and furnished in such manner as shall be required by the Postmaster General, and shall be fitted and maintained, heated and lighted, at the expense of the railway company. The cars must be of such length as he may determine and of such character as he may determine and furnished in such manner as he shall determine.

Mr. HUGHES of West Virginia. Well, Mr. Chairman, I do not think that covers the ground sufficiently to authorize the Postmaster General to have these cars made wholly of steel. I want to do away altogether with wooden postal cars. One of the department's plans under existing law provides for wooden cars where acceptable.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. STAFFORD. Mr. Chairman, I rise in opposition to the amendment. As the chairman of the committee has informed the House, the committee has agreed that some legislation should be carried in this bill along the lines suggested by the gentleman from West Virginia. The committee met this morning, and after deliberation on this subject agreed that the amendment as submitted to the House would meet the conditions. Already it has been pointed out that the amendment offered by the gentleman from West Virginia might be subject to various interpretations; and I call upon the House to vote down that amendment and consider the amendment offered by the committee, which reads as follows:

And provided further, That hereafter additional equipment accepted for this service shall be of steel construction, built in accordance with plans and specifications approved by the Post Office Department. This provision, however, shall not affect the acceptance of equipment now under construction for this purpose, the plans and specifications of which have been approved by the Post Office Department.

I believe—

Mr. HUGHES of West Virginia. Will the gentleman permit me to interrupt him?

Mr. STAFFORD. In a minute or so, as soon as I finish my explanation. I believe it would not be fair to the railroads to require them at once to furnish steel cars. Many of the cars that are now being built have steel underframing, and they are almost as staunch as the steel car. I do not believe that they should be obliged to discard them. Perhaps if they were prohibited to be used it would continue in the service the cars that are now being used, some of which may need displacement, because new steel cars could not be constructed in time. Now I yield to the gentleman from West Virginia.

Mr. HUGHES of West Virginia. I will say to the gentleman that my answer to that is this: That I am afraid that that is subject to such a construction that a great many of the cars now in service will be kept, and it will be a long time before we can get steel cars.

Mr. STAFFORD. It has already been pointed out by the chairman of the committee that the number already under construction is only the usual number. The railroad companies of this country have not anticipated the adoption of any such provision, and the department has not agreed to any larger number than is usual and believe to be necessary for the growth of the service.

Mr. HUGHES of West Virginia. What number was the committee limited to?

Mr. STAFFORD. I will say that 86 were built last year, and there is no necessity for any further limitation to burden these conditions. This amendment is the consensus of opinion of the members of the Post Office Committee as a substitute for the gentleman's amendment offered on Saturday.

Mr. NORRIS. Will the gentleman allow me to ask him a question?

Mr. STAFFORD. I yield first to the gentleman from South Dakota.

Mr. MARTIN of South Dakota. Will the gentleman inform the committee, which perhaps he has already done, but which I did not hear, as to how many cars are now under construction?

Mr. NORRIS. That is the question I wanted to ask.

Mr. STAFFORD. At the time the report was made, on the 30th of June last, there were 135 steel full railway post-office cars, 87 of steel apartment cars, and 53 with underframe of steel in construction, and with the prospect very bright for this excellent class of equipment to be increased in greater number during the present year.

Mr. MARTIN of South Dakota. Last year there were 53 in construction with this steel underframe?

Mr. STAFFORD. That is, with the steel underframe.

Mr. MARTIN of South Dakota. Can the gentleman inform the committee whether since last June cars of other than this construction have been ordered by the department?

Mr. STAFFORD. All full railway post-office cars have been either all steel or steel underframe.

Mr. COX of Indiana. I can give that from a letter written me by the Postmaster General bearing date of January 4, 1911, answering practically the question asked by the gentleman:

Since the year closed there have been built 52 steel or steel underframe postal cars, and 120 are in process of construction.

Mr. NORRIS. That does not answer the question.

Mr. MARTIN of South Dakota. How many wooden cars, or cars of other construction?

Mr. STAFFORD. It is a fact that there are some eleven hundred and odd full railway post-office cars in operation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I call for a vote on the amendment.

Mr. COX of Indiana. Mr. Chairman, I wish to discuss the amendment.

Mr. STAFFORD. I ask unanimous consent that debate on the amendment and the substitute therefor close in 10 minutes.

Mr. COX of Indiana. I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that debate on the pending amendment and the substitute therefor be closed in 10 minutes. Is there objection?

Mr. MANN. I certainly shall object if the proposition is to close all debate on a dozen amendments.

Mr. STAFFORD. Only on the amendment offered by the gentleman from West Virginia [Mr. HUGHES] and the substitute offered by the gentleman from Nebraska [Mr. NORRIS].

Mr. MANN. The substitute has not been offered yet.

Mr. STAFFORD. I understood the gentleman from Nebraska to say that his substitute is pending.

Mr. MANN. There has been no substitute offered since the point of order was overruled.

Mr. NORRIS. The substitute was read for information. Now, I am satisfied with the amendment, and do not intend to offer the substitute. It would be proper to offer it now, if it were to be offered at all, of course; but I am satisfied either with the amendment of the gentleman from West Virginia or the one offered by the committee.

Mr. STAFFORD. I will modify my request to cover merely the amendment.

The CHAIRMAN. The Chair understands that the gentleman from Wisconsin does not press his request. The gentleman from Indiana is recognized.

Mr. COX of Indiana. Mr. Chairman, I believe every member of this committee recognizes the importance of the legislation that we are now about to enact. For years there has been a crying need on the part of a very deserving class of people working in the Post Office Department for legislation along this line. For a quarter of a century we have had a law which gave to the Postmaster General complete power to require these cars to be built of steel, but I recognize that the era of steel-car building does not date back to 30 years ago; but it has been in force in this country for the past 8 or 10 years; and yet all that time, up until within the last two years, the Post Office Department has permitted that statute to remain upon the books an absolute dead letter.

I am going to support the amendment offered by the chairman of our committee, although I am frank to say that it does

not meet with my approval; but I am willing to accept the very best compromise that we possibly can get. My objection to it is this: I believe that the Post Office Department, as well as the railroads of this country, should be taught that the intention of Congress is to enforce the law, and to compel them to get rid of these old wooden cars as fast as they possibly can. My objection to the amendment offered by the chairman of this committee is that it will permit the railroad companies to use and operate all the old wooden cars that they have now, as long as they can repair them; and if these wooden cars have as long a life in the future as they have had in the past we will find wooden railway postal cars being used in this country for the next 15 or 20 years, because the report of the Second Assistant Postmaster General shows that at least one of these railway post-office cars was built in the year 1871, and my opinion is that there ought to be a time fixed when all railway postal cars used by all the railroads in this country shall be constructed of steel.

I know the argument has been made this morning that probably the railroads are not now equipped to make this change. I do not wish to be destructive of the railroads, but rather conservative; but I would much prefer to see an amendment offered here and passed by this House that would fix a time when all these cars should be of steel. It has been proven conclusively, I think, that steel railway post-office cars serve as an immense protection to the railway postal clerks. I asked the Post Office Department to furnish me some data along that line. On the 4th day of January I received the following information: From September 27, 1910, to December 28, in the same year, there were 12 wrecks, in which all-steel railway postal cars were involved. There were 7 wrecks in which wooden cars with steel bottoms were involved. There were 158 wrecks in which all-wooden cars were involved. The number of deaths occurring in all-steel cars was none; number of clerks severely injured in all-steel cars, 8; number of clerks slightly injured in all-steel cars, none; number of deaths in wooden cars with steel bottoms, none; number of clerks severely injured in wooden cars with steel bottoms, 5; number of clerks slightly injured in wooden cars with steel bottoms, 2; number of deaths occurring in wooden cars, 5; number of clerks severely injured in wooden cars, 47; number of clerks slightly injured in wooden cars, 39.

This covers the time between September 27, 1910, and December 28, for the same year. Now, with the permission of the committee, I will insert in the RECORD a communication from the Second Assistant Postmaster General.

POST OFFICE DEPARTMENT,
SECOND ASSISTANT POSTMASTER GENERAL,
Washington, January 4, 1911.

Hon. W. E. Cox,
House of Representatives, Washington, D. C.

SIR: Receipt is acknowledged of your letter of the 30th ultimo, asking for data regarding accidents that occurred during the fiscal year ending June 30, 1910, in which railway postal cars and mail apartment cars were involved, style of car in each instance, and number of clerks killed and number severely and slightly injured.

It is regretted that our reports will not enable us to give you the information desired, but since September, 1910, more details have been included in the reports, enabling us to give you the information desired from September 27 to December 28, 1910, as shown in the attached statement.

In this connection it may be mentioned that for the fiscal year 1910 there were in service 124 steel postal cars and 41 steel bottom (or steel underframe) cars. Since the year closed there have been built 52 steel or steel underframe postal cars and 120 are in process of construction. There have also been built or in process of building 60 steel or steel underframe mail apartment cars.

Very respectfully,

JOSEPH STEWART,
Second Assistant Postmaster General.

[Inclosure.]

Number of accidents in which full railway postal cars and mail apartment cars were involved from September 27, 1910, to December 28, 1910.

Steel railway postal cars involved in wrecks.....	12
Wooden cars with steel bottoms involved in wrecks.....	7
Wooden cars involved in wrecks.....	158
Deaths occurring in steel cars.....	0
Clerks severely injured in steel cars.....	8
Clerks slightly injured in steel cars.....	0
Deaths occurring in wooden cars with steel bottoms.....	0
Clerks severely injured in wooden cars with steel bottoms.....	5
Clerks slightly injured in wooden cars with steel bottoms.....	2
Deaths occurring in wooden cars (mail apartment car fell from bridge to bed of creek 25 feet below, 1 clerk killed; full postal car dashed against side of tunnel, 3 clerks instantly killed, 1 died shortly after receiving injuries).....	5
Clerks severely injured in wooden cars.....	47
Clerks slightly injured in wooden cars.....	39

After reading and analyzing the report of the Second Assistant Postmaster General contained in his letter no one doubts, but all admit, that an all-steel railway post-office car is much safer than an all-wooden car or a wooden car with steel underframe. The trouble with the chairman's [Mr. WEEKS] amendment is that for the next 20 years or more we would find wooden cars in operation in this country; and there is but one way to

prohibit it, and that is to fix a time in the future when all railway postal cars shall be built of steel.

I regret very much to oppose the committee, of which I am a member, but I offered an amendment, which is now pending, which fixes the limit of time when all railway postal cars shall be built and constructed out of steel, and my amendment provides that one-fourth of all such cars shall be built and constructed by January 1, 1913, one-fourth by January 1, 1914, one-fourth by January 1, 1915, and the remaining fourth by January 1, 1916. Why hesitate in this particular?

This amendment will but call attention of the Post Office Department to the fact that Congress is determined that the Post Office Department shall follow out the law as it is now, and it will also notify the railroads that they must get ready and build their cars out of steel.

Mr. WEEKS. Mr. Chairman, I wish to offer as a substitute for the amendment offered by the gentleman from West Virginia the amendment read at the Clerk's desk for information.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Add after the word "construction," line 12, page 21, the following: "Provided further, That hereafter additional equipment accepted for this service shall be of steel construction, built in accordance with plans and specifications approved by the Post Office Department. This provision, however, shall not affect the acceptance of equipment now under construction for this purpose, the plans and specifications for which have been approved by the Post Office Department."

Mr. MANN. To that I reserve a point of order. I would like to ask the gentleman from Massachusetts if this would affect any contracts outstanding, or whether there are any contracts outstanding.

Mr. WEEKS. I do not understand that it would; the amendment excepts cars now under construction.

Mr. MANN. The language is, "cars now under construction." There is a question about the time, whether it is the time this bill passes or the 1st of July. I presume it would be the time that this bill passes in the form that it now is. Suppose a railroad company has a contract for the construction of cars with steel underpinning, and not now under construction, is that eliminated or not under the terms of this amendment? I think, plainly, that they are eliminated.

Mr. WEEKS. There are no other cars except those with steel underframes and of steel under contract.

Mr. MANN. The purpose of this amendment is to let in these cars not wholly of steel construction now under contract. Suppose they are under contract but not under construction.

Mr. WEEKS. I do not know whether there are such cars or not, but I very much doubt whether there are any.

Mr. MANN. I do not know why we should assume that all the cars contracted for are now under construction. The presumption is that if a railroad company has an order for cars within the requirements of the Post Office Department that a few are under construction and a few are not.

Mr. NORRIS. The condition that the gentleman from Illinois seems to fear would not be at all likely to exist, for the reason that the Postmaster General has the right to approve or disapprove any of these cars, and they would not enter into any contract for building cars unless they knew they were to have the approval of the Postmaster General.

Mr. MANN. I am assuming that the Postmaster General has approved of these cars.

Mr. NORRIS. Well, that could be met by putting in the words "approved by the Post Office Department."

Mr. MANN. Suppose the railroad company had made a contract for new cars as required and approved by the Post Office Department. Now, do we propose to say that that contract can not be carried out?

Mr. NORRIS. No; and I do not believe that this amendment would do that.

Mr. MANN. Plainly it would if the cars were not under construction at the time this act takes effect. Is anyone prepared to say whether the act takes effect on the 4th of March, when it is signed, or on July 1, 1911?

Mr. WEEKS. When the act becomes a law.

Mr. COOPER of Wisconsin. The title to this act is "making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1912."

Mr. MANN. Of course, here is a limitation on a provision for the next fiscal year.

Mr. COOPER of Wisconsin. The year does not begin to run until the last of next June.

Mr. MANN. The gentleman from Massachusetts says that it takes effect on the 4th of March and the gentleman from Wisconsin says it does not take effect until the 1st of July next.

Mr. COOPER of Wisconsin. The gentleman from Wisconsin did not say that. The gentleman from Wisconsin only read the title of the bill and calls attention to the fact that the bill did not begin to work until July 1 next.

Mr. WEEKS. Mr. Chairman, I do not think the department would let a contract until it had approved of the plans.

Mr. MANN. But suppose they have approved of the plans and a contract is outstanding.

Mr. WEEKS. We excepted cars under construction.

Mr. MANN. We have not excepted the contracts outstanding. We have excepted in this amendment the cars now under construction.

Mr. WEEKS. I am willing to insert the words "or under contract."

Mr. HUGHES of West Virginia. Mr. Chairman, I want to say that it seems that this is the unanimous-consent agreement of the Post Office and Post Roads Committee, and I am willing to accept their substitute for the amendment I have offered. I would like, however, to have had the time limited in which wooden cars may be built and put into the Railway Mail Service. This, however, seems not the time to do that. We should give the matter more consideration. Therefore I would be willing to accept the gentleman's amendment in lieu of the one that I offered.

Mr. MANN. Mr. Chairman, in that connection I would like to make this suggestion to the gentlemen who are so anxious about steel cars—and I feel the same way myself, having the largest steel-car manufacturing establishment in the United States in my district—and that is this, that there is yet a question about the final success of steel cars in connection with trains that are operated partly by electricity, as some trains are, or lighted by electricity and have an electric current in them. The steel car is a very quick conductor of electricity, and it might be that it will kill men faster than is done now by burning them.

Mr. HUGHES of West Virginia. Mr. Chairman, I want to say, in reply to that, that it is not the steel-car companies that I am looking out for in this matter; it is the lives of the men. From the records that have been given us with reference to casualties, there have been very few in steel cars, or practically none. By reading the report of the Second Assistant Postmaster General I find that with wooden cars these casualties are entirely too numerous.

The CHAIRMAN. Does the gentleman from Illinois insist upon his point of order?

Mr. MANN. Mr. Chairman, I understood the gentleman from Massachusetts to say that he was willing to accept an amendment, or that he proposed to offer an amendment—

Mr. MARTIN of South Dakota. Mr. Chairman, will the gentleman yield?

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GAINES having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 7713. An act relating to rights of way through certain reservations and other public lands.

POST OFFICE APPROPRIATION BILL.

The committee resumed its session.

Mr. MANN. I yield to the gentleman.

Mr. MARTIN of South Dakota. Mr. Chairman, I hope the gentleman from Illinois will not insist upon the amendment that he is now proposing. It having been demonstrated that steel cars are the safe cars for employees in this service, I think that the Government ought not to order the construction of any other than the safest of cars. If construction has already begun, the proviso of the committee will reach that. If not, I think the Government ought to stop the contracts at once and not permit construction to be begun on any except the steel car or its equivalent.

Mr. MANN. After all, the same rule prevails as to passenger coaches and sleeping cars as to postal cars, and yet so far as I recall no gentleman on the floor of this House has introduced a bill to require all cars to be made of steel. Undoubtedly that will be done.

Mr. ESCH. Mr. Chairman, I will say to the gentleman that there is a bill pending before his committee for the construction of all cars—baggage, express, tourist, and smoking cars—of steel.

Mr. MANN. Was it introduced by the gentleman from Wisconsin?

Mr. ESCH. Yes.

Mr. MANN. A member of the committee? I did not know it had been introduced.

Mr. MARTIN of South Dakota. The committee is not informed as to how many outstanding contracts there may be for construction of mail cars other than steel, and if the provision is put in the form that the gentleman from Illinois suggests as a modification of the committee amendment it would practically leave it with the department to consent.

In my opinion it is infinitely better that the department should not approve of any new plans for the construction of any new cars other than steel cars, whether there are contracts outstanding for them or not. Let the Government sustain any damage there may be because of not completing a contract of that kind rather than to force its employees to work in unsafe cars. The result would be simply to modify those contracts if we make provision for the construction of no cars other than steel.

Mr. WEEKS. Mr. Chairman, I want to say to the gentleman from South Dakota that there are no wooden cars under construction now. No cars are contracted for by railroad companies until the plans are approved by the department. And I have offered an amendment along the line suggested by the gentleman from Illinois, which I think will cover any objection which he or the gentleman from South Dakota may have on that score.

Now, Mr. Chairman, I ask unanimous consent that the debate on this amendment close at 2 o'clock.

Mr. MARTIN of South Dakota. Before that is submitted, I would like to inquire the state of the record. If the amendment offered by the gentleman is the one he says the committee has agreed upon, I have no objection, but if it is desired to be modified, I think it should be modified by the consent of the House.

Mr. HUGHES of West Virginia. I ask unanimous consent that it be read as amended by the committee.

Mr. MANN. Of course it has to be accepted by the House or it is not an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 21, line 12, after the word "construction," insert: "And provided further, That hereafter additional equipment accepted for this service shall be of steel construction, built in accordance with plans and specifications approved by the Post Office Department. This provision, however, shall not affect the acceptance of equipment now under contract for construction for this purpose, the plans and specifications for which have been approved by the Post Office Department."

Mr. MADDEN. I would like to offer an amendment to that.

The CHAIRMAN. Does the gentleman insist upon his point of order?

Mr. MARTIN of South Dakota. I desire to be correctly informed as to the record. As the amendment was read in the first place by the Clerk I understood the provision at the end referred only to cars of a different type now under construction. As it is now read by the Clerk it is in a different form and refers to cars under contract.

The CHAIRMAN. The gentleman from South Dakota has been recognized—

Mr. COOPER of Wisconsin. I understood I was recognized.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin, but first the gentleman from South Dakota will state his point of order.

Mr. MARTIN of South Dakota. The point of order is that the amendment as now read by the Clerk is not the amendment offered by the chairman of the committee.

Mr. MANN. It was only read for information. The gentleman from South Dakota is correct. The amendment read for information is the amendment as it would be if the gentleman from Massachusetts should offer his amendment and it prevailed.

Mr. MARTIN of South Dakota. I understood the gentleman to offer his amendment as a committee substitute.

The CHAIRMAN. The Clerk has reported the amendment as it was submitted to the committee, and now the gentleman from Wisconsin is recognized.

Mr. MANN. Mr. Chairman, I think the Chair is slightly in error about that. The amendment offered by the gentleman from Massachusetts in the first instance only referred to cars now under construction, to which amendment I reserved the point of order, and the gentleman from Massachusetts stated that he would offer an amendment modifying it and providing for cars under contract for construction, and that was read from the Clerk's desk for information a moment ago, but that amendment has not been agreed to nor has the point of order been withdrawn.

Mr. MARTIN of South Dakota. The amendment is pending.

Mr. MANN. The amendment is not pending. The second amendment is not pending, because it can not be pending.

The CHAIRMAN. The gentleman from Wisconsin is recognized.

Mr. MANN. Mr. Chairman, I was going—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. MANN. I rose to discuss the point of order.

Mr. COOPER of Wisconsin. I will yield to the gentleman.

The CHAIRMAN. The Chair will hear the gentleman from Illinois.

Mr. MANN. Mr. Chairman, I will not bother the Chair to decide the point of order, although it would not bother him, as it is so plainly subject to the point of order. However, on the statement of the gentleman from Massachusetts, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn. The question is now upon the amendment offered by the gentleman from Massachusetts—

Mr. COOPER of Wisconsin. What becomes of my recognition? Has that evaporated entirely?

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin to discuss the amendment of the gentleman from Massachusetts.

Mr. COOPER of Wisconsin. Mr. Chairman, the first amendment offered to-day by the gentleman from Massachusetts, the chairman of the committee, and read for the information of the House, provided that no rental shall be paid for any wooden railway post-office car placed in connection with and ahead of a steel car. I raised the point that the words "in connection with and ahead of" in that amendment would permit the placing in a train, first a wooden postal car, and behind it a wooden express car, and behind that a steel car, because the express car would be the only one connected with the steel car. The wooden postal car would be ahead of, but not connected with, the steel car. That was the point. I understood the chairman of the committee to say that this point was well taken.

Now, in regard to the amendment which the gentleman from West Virginia has offered.

Mr. Chairman, we are meeting with opposition exactly similar to that which the House encountered some years ago when considering the proposition to compel railroads to use safety appliances on interstate trains. No one wishes even the slightest harm to the railroads, as has been suggested here so repeatedly, but we all do wish to do justice to the workingmen who have to make their livelihood as employees on those trains. When the original bill to compel railroads to use air brakes on interstate trains was up it was fought bitterly, but it became a law. To-day there is not anywhere a man but that recognizes that such brakes were and are a necessity in order to insure the safe transportation of passengers and freight on interstate trains, and that the law was both wise and humane. It prescribed definitely the time within which railroads doing interstate business must equip their trains with air brakes and other safety appliances. Year after year we came here, and the requirements of the statute not being complied with, we listened to reports showing that the railroads had been obliged to run trains without such equipment, and recommending that the time originally fixed by the statute be extended. Congress heard these excuses and explanations and extended the period within which the equipment should be provided. At length we find that all of these trains have been equipped with air brakes and other required appliances.

Now, as to these proposed steel railway post-office cars, why should Congress turn such an exceedingly important subject over entirely to the Postmaster General, and leave him to be surrounded by a lobby in his office and on the way to and from his home and everywhere else that he may go in his wanderings? Why should not Congress now determine the time within which these steel cars shall be provided and used? If not provided and used within the time fixed in the act, the railroads could present their excuses and explanations to the proper authorities. These authorities would report to Congress, and Congress in its discretion could by statute extend the time. It is as necessary for the safety of the railway mail clerks that these cars shall be made of steel, where other cars in the train are of steel, as it is that there should be air-brake equipment. Congress in one instance exercised its discretion and fixed the time by law. Why should it not now exercise its discretion in this matter, so vitally important to these men, and fix the time by law? Congress could extend the time if there be justifiable excuse for failure to comply with the statute.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. Will the gentleman yield?

Mr. COOPER of Wisconsin. I will.

Mr. MADDEN. I want to ask the gentleman if it would not cover the case he has just described if such an amendment as this were introduced and adopted:

Provided further, That the Postmaster General shall not, after the 1st of July, 1914, approve or allow to be used on any railway post-office car not constructed of steel or other noncombustible material.

Mr. COOPER of Wisconsin. That goes to the merits of the question; yes.

Mr. MADDEN. That fixes the time beyond which he can not approve any car that is not built to give the requisite amount of safety.

Mr. COOPER of Wisconsin. Perhaps it would be better, I will say to the gentleman from Illinois, to have a certain percentage of the necessary steel cars put into use each year until the total equipment be complete.

There is another point to which I wish to call attention. It was admitted here that 86 wooden postal cars were made last year—86 new wooden cars. I asked how long one of those cars would last, and was told 10 years. But the gentleman from Indiana [Mr. Cox], a member of the committee, only a few moments ago read a statement showing that one of those old wooden cars was put in service in 1871 and is now in use.

Mr. COX of Indiana. That is true, and is stated in the Postmaster General's report.

Mr. COOPER of Wisconsin. The life of that car covers a period of 39 years. There is a little discrepancy in the figures here of only 29 years. Now, if these new wooden cars are to be used as that particular car has been used, they will be in service after this generation of postal clerks have passed away and gone to their fathers.

Mr. WEEKS. Will the gentleman yield?

Mr. COOPER of Wisconsin. I will.

Mr. WEEKS. Undoubtedly that very old car has been rebuilt two or three times—

Mr. COOPER of Wisconsin. But it has been a wooden car all of the time.

Mr. WEEKS (continuing). So it is substantially as good as it was when it was constructed, presumably.

Mr. COOPER of Wisconsin. And during about 35 years of its life there were no steel cars. Within three months, September to December, there were five men killed in the Railway Postal Service in wooden cars and none in steel cars. The gentleman from Indiana [Mr. Cox] read a statement showing that there were 25 postal clerks killed in one year. Of these I do not know how many were killed in wooden cars. And there were in all over 600 injured, thus approximating a total of 700 men wounded and killed in the postal service in one year.

With steel trains running 50 or 60 miles an hour—almost the speed of an eagle's flight—there is about wooden postal cars an element of danger wholly unknown when many of these men went into this business. They entered the service without that deadly danger around them.

Mr. COX of Indiana. Will the gentleman yield to a question?

Mr. COOPER of Wisconsin. I will.

Mr. COX of Indiana. Without the amendment is made specific in that way, is not this likely to happen? The average life of a wooden car is about 10 to 14 years. Under the amendment now pending, would it not be within the power of the railroad companies to rebuild them out of wood?

Mr. COOPER of Wisconsin. Certainly.

Mr. COX of Indiana. And thus permit the use of wooden cars for a great number of years. That is the objection to the amendment.

Mr. COOPER of Wisconsin. There is a probability of that.

Mr. WEEKS. Will the gentleman allow me to ask him a question?

Mr. COOPER of Wisconsin. Certainly.

Mr. WEEKS. If it is to be the policy to increase the number of steel postal cars at about the same rate that steel cars are adapted for passengers for a few years, would not that be a fair and reasonable basis on which to make the increase of steel postal cars?

Mr. COOPER of Wisconsin. I will say, in reply to the gentleman from Massachusetts, that in view of the inability—as is alleged—of the corporations immediately to equip trains with steel cars, it would be better to fix a date on or after which no rental shall be paid for postal cars if they be not of steel.

Mr. WEEKS. Let me ask the gentleman this question: The proposition now is to build steel cars and authorize no other form of construction. Would it not be better to wait two or three years before insisting on that provision and until car-construction companies are thoroughly equipped for that business?

Mr. COOPER of Wisconsin. We can declare a day beyond which no rents shall be paid for cars of other construction.

Mr. WEEKS. Mr. Chairman, I ask, What is the parliamentary status?

The CHAIRMAN. The question is on the substitute of the gentleman from Massachusetts for the amendment of the gentleman from West Virginia.

Mr. MADDEN. Mr. Chairman, I wish to send to the Clerk's desk an amendment, to be read for information in regard to what I am about to say, and which I feel in a measure will go to the merits of this question.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Provided further, That the Postmaster General shall not, after the 1st of July, 1914, approve or allow to be used any railway postal car not constructed of steel or other noncombustible material.

Mr. MADDEN. Now, Mr. Chairman, I think it is important to fix a time limit beyond which the Postmaster General shall not have power to approve of any car constructed of a material that is not steel or noncombustible. I believe the sooner we fix the time beyond which he is not allowed to do this the sooner we will reach the stage where wooden cars will be taken out of the Railway Mail Service. If the cars built of wood are ever to be taken out of the service we must legislate fixing the time beyond which these cars can not be used. Whether this amendment is in order now or not, I will not undertake to say; but I do undertake to say that whatever amendment is adopted it should provide a limit during which wooden cars may be allowed to be used in the transportation of the mails. If this suggestion I make is not in as complete form as it should be, then I suggest to the chairman of the Committee on the Post Office and Post Roads that such language be used in any amendment that may be adopted as will limit the power of the Postmaster General to the acceptance of cars built of a kind of material that will give protection to the lives of the men employed in the Railway Mail Service.

Mr. CRUMPACKER. In my opinion the amendment is in order, and ought to be offered now.

Mr. MADDEN. I offer the amendment.

Mr. WEEKS. Mr. Chairman, I ask unanimous consent to amend the substitute which I have offered as it now reads by inserting the words—

The CHAIRMAN. Does the gentleman yield to the gentleman from Massachusetts?

Mr. MADDEN. I will yield to give him an opportunity to modify his amendment.

The CHAIRMAN. The Chair would state to the gentleman from Massachusetts that what he desires has been written in the amendment. Does the gentleman from Illinois offer his amendment?

Mr. MADDEN. Yes, sir.

The CHAIRMAN. The Clerk will report the amendment.

Mr. MARTIN of South Dakota. What disposition has been made of the point of order made by the gentleman from Illinois [Mr. MANN]?

The CHAIRMAN. The point of order was withdrawn.

Mr. MADDEN. I offer the amendment to the substitute of the gentleman from Massachusetts.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add to the proposed substitute:

Provided further, That the Postmaster General shall not after the 1st of July, 1916, approve or allow to be used or pay any rental for any railway postal car not constructed of steel or other noncombustible material.

Mr. HUGHES of West Virginia. I am heartily in favor of the amendment of the gentleman from Illinois [Mr. MADDEN]. It carries out the purpose I had in view when I offered the original amendment which provoked this discussion and brought the committee to realize the importance and necessity of this legislation. It embodies the essential features of my bill.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois to the substitute of the gentleman from Massachusetts.

Mr. COOPER of Wisconsin. Will the gentleman permit one suggestion?

Mr. MADDEN. Certainly.

Mr. COOPER of Wisconsin. I would suggest that that ought to be amended by inserting "nor pay any rental for."

Mr. MADDEN. Mr. Chairman, I will accept that. I ask unanimous consent to modify the amendment I have offered so as to make it read "or pay any rental for the use of any such car."

The CHAIRMAN. The gentleman from Massachusetts [Mr. WEEKS] is recognized. To whom does he yield?

Mr. WEEKS. I yield to the gentleman from Illinois [Mr. MADDEN] to make a modification in his amendment.

Mr. MADDEN. I ask unanimous consent to modify the amendment I have just offered so as to make it read "or pay any rental for the use of any such car."

The CHAIRMAN. The Clerk will report the amendment in accordance with the request of the gentleman from Illinois.

The Clerk read as follows:

Amend by adding after the word "used" in the amendment the words "or pay any rental for."

The CHAIRMAN. Is there any objection to the modification? There was no objection.

Mr. WEEKS. I hope the amendment offered by the gentleman from Illinois [Mr. MADDEN] will not prevail. My judgment is that it is an unreasonable proposition to say at this time that all railway mail cars shall be of steel as early as July, 1914. There are a large number of cars of other kinds of construction that are useful, that are in good condition, first-class equipment in every way, cars that have been purchased by railroads and put into this service within the last two or three years.

Mr. COX of Indiana. Does not the gentleman believe that those cars that will be put out of date by the gentleman's amendment can be utilized by railroad companies for something else?

Mr. WEEKS. Some of them could.

Mr. COX of Indiana. Could they not all be used as express cars?

Mr. WEEKS. Quite likely; but why should we not be as careful about providing for the safety of express messengers as for the safety of postal clerks?

Mr. BUTLER. And freight brakemen too.

Mr. WEEKS. Yes; the principle is all the same. We are trying to get better equipment from the railroads for the clerks in the Railway Mail Service, who are properly under our charge, but it would be inadvisable to attempt to do anything which probably could not be carried out and which might be doing a great injustice to many railroads, especially in the South. I hope the amendment will not prevail.

Mr. CRUMPACKER. Mr. Chairman, I move to strike out the last word for the purpose of saying that I am in favor of the amendment offered by the gentleman from Illinois [Mr. MADDEN] with one exception. I am apprehensive that he has fixed the time for the change at too early a period. I believe the time when the change shall be completed should be not earlier than July 1, 1916.

Mr. WEEKS. I would like to ask the gentleman if he does not think that on an important matter of this kind there should be hearings, and that the department and the corporations involved should be given an opportunity to furnish the committee and Congress real information on such a subject before taking action on such an amendment as that now pending.

Mr. CRUMPACKER. That would be the business way to handle this question, but sometimes the only opportunity that comes to handle questions of this character is in the House. This is an opportunity to fix the time when all railway mail cars shall be constructed of safe materials, and it involves a more important question than that of profits or dividends on stocks. This question involves the safety of life and limb.

Mr. MADDEN. If the gentleman from Indiana will permit, I am perfectly willing to make it 1916.

Mr. CRUMPACKER. I would suggest that the amendment be modified so as to fix the limit at 1916.

Mr. WEEKS. All of this shows the folly of attempting to legislate in this way.

Mr. MADDEN. Oh, no; it does not.

Mr. WEEKS. The gentleman makes an important proposition, and then at the very first suggestion made he is willing to change it.

Mr. CRUMPACKER. I believe that with that modification the amendment is a reasonable one, and that it ought to be adopted. It seems to me it is so clearly demonstrated that steel mail cars are necessary to the safety of life and limb of railway mail clerks that the time has come when Congress, in the exercise of its power to safeguard its employees, ought to take definite and certain action, and it occurs to me that five years' time is sufficient for the railway companies of the country to convert the railway mail cars into steel cars, to make the necessary

changes; and I am willing to vote for the amendment proposed by the gentleman from Illinois, modified as he has just suggested.

Mr. SMALL. Mr. Chairman, I hope that the substitute offered by the chairman of the committee will be adopted. The debate here indicates a misunderstanding on the part of some Members regarding the purport of the substitute. It provides that no railway post-office cars shall hereafter be built except of steel, with the proviso that it shall not apply to post-office cars already under construction or contracted for construction by the Post Office Department.

Now, when it is remembered that the department has not contracted for any cars except steel underframe cars, which, for safety, it is shown, compare favorably with all-steel cars, it can be seen that this substitute fully meets the demands of the service and for the protection of the post-office clerk. When you add to that the amendment which will next be considered, offered by the committee, where railroad lines are building steel passenger cars, providing in such cases they shall use none except all steel railway postal cars, that meets the demands of the country for the safety of the post-office employee.

Now, the amendment to the substitute offered by the gentleman from Illinois [Mr. MADDEN], it seems to me, is unnecessary, and that condition has been developed by the debate. He places the limitation of 1914 beyond which no wooden or steel underframe cars shall be constructed. The gentleman from Indiana [Mr. CRUMPACKER] thinks it should be extended to 1916, and that suggestion was adopted by the gentleman from Illinois. It all goes to show that the substitute offered by the committee is carefully framed and meets every possible demand.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. SMALL. Certainly.

Mr. COOPER of Wisconsin. There are only about 1,100 of these cars altogether. July, 1916, would be five years from next July, and would require only one-fifth, or 20 per cent, a year, which would be 200 cars for all the factories in the United States. Does not the gentleman think the railroad companies could do it?

Mr. SMALL. I know some of the lines of railroad companies that could not; certainly in my State, and some in the South.

Mr. KENDALL. The objection is, as I understand, not that the railroads are unable to buy the cars, but that the factories are unable to supply them.

Mr. SMALL. That is an additional reason. There are some of the lines of the railroads in the country which could not afford to provide all-steel cars for any certain time we fix. And when it is remembered that the department has not permitted any wooden cars to be rebuilt except the steel underframe, and when it has been shown that they are practically as safe as all-steel cars, then there should be no objection to permitting wooden cars to be built with steel underframes where they have not adopted the steel passenger cars in their service. But with the amendment which provides for all future construction except those now under contract—and all that are under contract are steel underframes—and, then, with the other amendment, which provides as to these roads which do put on all-steel passenger cars, that they must provide all-steel railway post-office cars, it seems to me that the safety of the men in the service is completely met, and that the amendment of the gentleman from Illinois ought to be adopted, and that the substitute of the committee meets all reasonable demands.

Mr. CARY. Does the gentleman know whether or not the rumor that they are now equipping the old Pullman cars and putting them into the Railway Mail Service is true?

Mr. SMALL. I have never heard of any such thing.

The CHAIRMAN. The time for debate on this amendment has expired, and debate is proceeding by unanimous consent.

Mr. MANN. Mr. Chairman, I only want to detain the committee a moment on this proposition.

Mr. WEEKS. Mr. Chairman, I do not want unduly to limit the time on this debate, for it is an important question, but I think the committee will see the justice of placing some limitation upon debate so that we may get on with this bill. I therefore ask unanimous consent that debate on this amendment and all amendments to it may end at 20 minutes of 3.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that all debate on the amendment and substitute be limited to 20 minutes of 3.

Mr. CARLIN and Mr. COX of Indiana objected.

Mr. WEEKS. Then, Mr. Chairman, I make that motion.

The CHAIRMAN. The gentleman moves that all debate on the amendment and substitute be concluded at 20 minutes of 3.

Mr. FOSTER of Illinois. I move to amend by making it quarter of 3.

Mr. CARLIN. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CARLIN. I understood the Chair to recognize the gentleman from Illinois. If that be the case, the Chair can not recognize the gentleman from Massachusetts.

The CHAIRMAN. The point is overruled. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now is on the motion of the gentleman from Massachusetts as amended.

The question was taken, and the motion was agreed to.

Mr. MANN. Mr. Chairman, I think the amendment of my colleague from Illinois [Mr. MADDEN] proceeds rather from the heart than from his level head. What is the proposition? That all postal cars shall be of steel frame by 1916. One would think that the invention of the steel car had originated with Congress or was now being proceeded with because of congressional action. The railroads of the country are constructing steel cars as fast as they can be turned out, and it is not possible, with any facilities which now exist or which are likely to exist before 1916, to furnish coaches and cars of steel frame. What, then, would be the proposition? That no wooden postal car could be used in a train of wooden cars; that you must have a steel postal car in a train that is not composed of steel coaches; and yet gentlemen here are very much exercised for fear they will use a wooden postal car in with a steel coach. If it be dangerous to do that, it is equally dangerous to do the other thing. These two things have to move hand in hand. The railroad companies fully understand that they have got to reconstruct their ideas in reference to cars—postal cars, sleeping cars, and coaches—and that the steel car has come to stay. They have just constructed a great factory in my district for the purpose of manufacturing steel cars. They are turning out steel cars as rapidly as can be done, and while other industries have been depressed throughout the country, the Pullman Works have been working overtime making these steel cars and other cars. I would be glad to see every car used a steel car, but you can not force, and ought not to force, steel postal cars on ahead of steel coaches and steel sleeping cars. A little country road that has a train of two or three wooden coaches ought not to have a steel postal car until it is prepared to have the rest of the cars of steel.

Mr. HUGHES of West Virginia. Will the gentleman tell us why it should not have a steel postal car, if that car makes it that much safer?

Mr. MANN. Because it makes the rest of the train kindling wood; for the same reason that the amendment will be offered here in a few moments; the same reason that was stated by the gentleman from Nebraska and most of the gentlemen upon the floor who have discussed the subject—that the steel car mixed in with wood cars makes it dangerous for the wooden cars.

Mr. HUGHES of West Virginia. That is all right in the heavy trains.

Mr. MANN. The gentleman wants to protect the life of the postal employee at the expense of the passengers. I want to protect the life of both.

Mr. COX of Indiana. Does not the gentleman believe that steel postal cars would quickly force the railroads to make steel passenger coaches?

Mr. MANN. They can not make steel passenger coaches any faster than they are now making them.

Mr. COX of Indiana. Oh, that is the old argument of the railroad companies.

Mr. MANN. The old argument of the railroad companies? Why, one would think that it was the gentleman who had forced the railroad companies to use steel coaches; but he did not.

Mr. COX of Indiana. Not on your life!

Mr. MANN. The railroad companies have come to the opinion that they are required to use steel coaches. They are the ones who have provided for steel coaches; they are the ones who are doing it. It is not being done because of any legislation by Congress.

Mr. CULLOP. Mr. Chairman, I am in favor of the amendment of the gentleman from Illinois for several reasons. The rental paid the railroad companies for these postal cars is very exorbitant. It is a source of great profit to the railroad companies. In two years one of these cars earns more than its cost. It is out of reason, and as long as the railroad companies have not a definite time fixed for them to install steel cars in the postal service, that much longer will it be delayed, and it will not be made, for the reason that the wooden car does not cost more than half as much as the steel car. The profits realized on the wooden is much larger than on steel cars, because the former cost less. Now, the manufacturers of this

country are not so busy at this time as to make the change impossible. They are not overcrowded with work. Many of them are idle at this time, and much of the labor of the country is unemployed. Ample time by this amendment is afforded for the change as conditions now exist. It would only require about 20 per cent of these cars to be changed each year during the time allowed, not a very large number, so that the entire 1,100 could be worked out by 1916, and we would then be protecting the lives of the employees of the Government in this line of service. This is desirable and calls on Congress to act promptly and emphatically in this matter.

Now, that it will be more dangerous to the passengers who ride in the day coaches, as has been stated here, in my judgment, is a mistake. If the steel car is a safer mode of conveyance for passengers, it is equally so for the men who ride as postal clerks in the postal cars, and if you will make that part of the train safer you have made the whole train safer by making that change. I am in favor of the amendment of the gentleman from Illinois [Mr. MADDEN] fixing the time for the complete change in 1916, and unless the time is fixed the change will not be made, for the reason that it is money to the railroad companies to keep back this change as long as they can.

This is an effort to protect life and property, a commendable thing, and that being the purpose, this House should adopt it and make it effective. This amendment has that purpose in view, and for that reason I hope it will be adopted.

Ample evidence has been produced here by the gentleman from Indiana [Mr. Cox] to convince every Member of this House of the merit and beneficent purpose of this amendment—sufficient to commend it for adoption.

Mr. COX of Indiana. Mr. Chairman, I sincerely hope that the amendment offered by the chairman of the committee and the amendment offered by the gentleman from Illinois [Mr. MADDEN] will both be adopted. I do not take kindly to the argument advanced here to-day that the railroad companies can not possibly comply with this law, even though it be extended in its fulfillment to the year 1916. What has been the history of all this matter, lo, all these many years? Going back 15 or 20 years, when the railroad companies were killing men by thousands upon thousands, the employees of railroads, through their labor organizations, appealed to Congress, and eventually made their appeals effective, and Congress heeded the cry of these thousands of men who operated trains engaged in interstate commerce, and it has never stopped to draw the line upon railroads in compelling them to comply with all the modern safety appliances with which it is possible to equip trains. Here is an army of 17,000 men whose mouths are absolutely shut by an Executive order, not permitted to come here to Congress and go before committees and ask for legislation in their interest, and they can only be heard by Representatives upon this floor. For one, Mr. Chairman, I believe, as I said a moment ago, that the railroads ought to be compelled by a law passed by Congress to fix a time when the railway postal cars shall be built of steel. Is it unreasonable—five years? If I remember correctly, the safety-appliance law passed by Congress 8 or 10 years ago required the railroads to equip the trains engaged in interstate commerce with automatic couplers and other equipment, and they were only given two years' time in which to do it. What are we doing here this evening, Mr. Chairman? In 1904 we entered upon a policy of paying to the deceased relatives of railway postal clerks the sum of \$1,000. Against that I am finding no fault whatever, and, if I remember correctly, Congress in the last session increased the amount to \$2,000.

I am not making any complaint about that, but as a result of it since 1904 we have paid to the representatives of railway postal clerks between \$700,000 and \$800,000, and yet we have indisputable proof this evening that the steel postal cars will serve as a protection to the railway postal clerks. I do not want to stand upon this floor, Mr. Chairman, weighing human blood on one side of the question and the railroads on the other. I do not want to stand before my constituency as voting \$2,000 to pay for the loss of the lives of railway postal clerks when if we enact a law of this kind it will insure almost practical safety. The time has come, Mr. Chairman, for us to do something—this may be a revolutionary way of doing things, but if it is I am for it—and the chairman of our committee, for whom I have the very highest regard, said that because Mr. MADDEN's amendment fixed the limit of date at one time, and another amendment offered by the gentleman from Indiana [Mr. CRUMPACKER] fixed it at another, was a demonstration that the committee did not know what it was about. I do not take kindly to that argument, nor do I take kindly to the argument that all legislation brought upon this floor by this committee can not be perfected by the combined work of every man upon the floor of the House. [Applause.] Therefore, Mr.

Chairman, I sincerely hope that the amendment offered by the chairman of this committee, as amended again by the gentleman from Illinois [Mr. MADDEN], will prevail.

The amendment will impose no hardship whatever upon the railroads. They can easily comply with it. This item carries an appropriation of more than \$5,000,000 as rent for their railway postal cars, and there are only a little over 1,100 such cars in the service, making a total rent paid for each car of more than \$3,500 per year. The old wooden car, the average life of which was from 10 to 14 years, could be built at a cost of approximately \$6,500. The steel cars, the average life of which will be from 15 to 20 years, can be built at a cost of \$15,000. This will make an enormous per cent to the railroads upon their investment even in steel cars.

But it should not be a question of dollars and cents. It should be a question of doing equal and exact justice to a deserving class of men. If these men could be heard before committees or in Congress, years ago they would have had legislation protecting them along these lines. But they have been prevented from being heard or from making protest, even though the moment one of them entered in a railway postal car that moment he takes the most perilous position of any man on the train; and as their friend, believing it to be right for the sake of a few paltry dollars, I hope that these amendments will be adopted, to the end that these employees will be taken from their death trap and given an opportunity to escape with their lives when involved in a wreck.

It is a conscientious matter with me, firmly believing that my position is right. If these amendments be adopted, the Post Office Department will no longer dally with human life, but will execute the law and require railroads to build steel cars.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSTER of Illinois. Mr. Chairman, I just want to say one word, and that is that I heartily agree with this amendment, because it fixes a definite time when these old wooden cars must go out of commission, so far as the Railway Mail Service is concerned. As has been shown this morning, one of these cars at least has been in service since 1871, 39 years, and there will probably be no Member of this House alive when the last wooden car goes out of existence that will be built in the next year. It is shown, too, that 86 new wooden cars were placed in commission last year, and I believe that this House at this time should fix definitely when these cars must go out of existence and put on cars that have been demonstrated to be safe for the protection of the lives of the men who are compelled to ride in them day after day. The idea that the car because it is made of steel and placed in the front part ahead of the passenger coaches of a train makes it more dangerous to passengers, to my mind, is not correct. If the steel cars were placed in the rear of the train and the wooden cars between them and the engine, then I would agree that, as the postal employees are compelled to ride to-day where they have steel cars, it is more dangerous to their lives; and that is what these men will be compelled to do if this amendment is not adopted at this time. [Applause.]

Mr. CRUMPACKER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CRUMPACKER. I rise to inquire whether the modification of the amendment of the gentleman from Illinois [Mr. MADDEN] to change the year from 1914 to 1916 was made.

Mr. MADDEN. I suggested that it be made, and I hope it will be. Mr. Chairman, I did ask consent, and the chairman of the committee accepted it some time ago.

The CHAIRMAN. The Clerk informs the Chair that no unanimous consent has been given to make the change.

Mr. MADDEN. Then I ask it now.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to submit a modification of his amendment, which the Clerk will report.

The Clerk read as follows:

Provided further, That the Postmaster General shall not after the 1st day of July, 1916, approve or allow to be used, or pay any rental for, any railway post-office cars not constructed of steel or other non-combustible material.

The CHAIRMAN. Is there objection to the modification proposed by the gentleman from Illinois to his amendment?

There was no objection.

Mr. WEEKS. Mr. Chairman, I want to say one word further regarding this matter. It has frequently been stated to-day that there has been a wooden car in the postal service for 39 years. That does not necessarily affect in any way the condition of the car. There are ships doing excellent service, perfectly seaworthy, that are 40, 50, or 60 years old, that have been rebuilt, so that they are now doing really as good service as when originally built. The question is whether these cars are safe and sound and sanitary; that every condition that

would go to make up a new car obtains in the case of the old car, and we have no evidence that that is not true. In fact, we have evidence it is true in the statements made by the Assistant Postmaster General and the head of the Railway Mail Service.

I hope this amendment will not prevail. It is an unreasonable proposition to put a greater limitation on a service of this kind than would be placed on a similar service carried on for other purposes. It would be just as logical for the Committee on Interstate and Foreign Commerce to bring in a proposition that all freight cars and all passenger cars and all express cars should be constructed of steel, so that there would be no wooden cars in operation after the year 1916. There are just as many men riding in express cars as there are in mail cars, and many times more people riding in passenger than in mail cars. If cars now in the mail service are not used for mail purposes, they will be transferred to some other use and men employed in some other way will ride in them. We can not replace all the railway equipment in this country before 1916, but, as the gentleman from Illinois [Mr. MANN] has stated, railroads are changing their equipment as rapidly as possible. It is their policy, when they have the money to do it, to use steel equipment in the future, and the department is requiring that this kind of equipment be used whenever new equipment is added or whenever any equipment is replaced. For this reason I believe this action is hasty and ill advised, and I hope the amendment will not prevail.

The CHAIRMAN. The question is now on the amendment of the gentleman from Illinois [Mr. MADDEN] to the substitute offered by the gentleman from Massachusetts [Mr. WEEKS].

The question was taken, and the Chair announced that the ayes seemed to have it.

Mr. WEEKS. Division, Mr. Chairman.

The committee divided; and there were—ayes 93, noes 34.

So the amendment was agreed to.

The CHAIRMAN. The question is now on the substitute of the gentleman from Massachusetts [Mr. WEEKS] as amended.

The question was taken, and the substitute as amended was agreed to.

The CHAIRMAN. The question is now on the substitute of the gentleman from Massachusetts [Mr. WEEKS] to the amendment of the gentleman from West Virginia [Mr. HUGHES].

The question was taken, and the substitute was agreed to.

Mr. WEEKS. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Provided further, That hereafter no part of this appropriation shall be paid for rental of any wooden mail cars placed in any train composed partly of steel cars unless such wooden mail cars are behind all such steel cars.

Mr. MANN. Mr. Chairman, it seems to me that that is almost a queer amendment. What is the effect of it?

The CHAIRMAN. The committee ordered that all debate on this amendment and amendments thereto be closed at a quarter to 3 p. m.

Mr. MANN. I think the Chair is in error. It was as to all debate on the amendment before and all amendments thereto.

The CHAIRMAN. The committee ordered that debate be closed on this amendment.

Mr. MANN. The Chair is being misinformed by some one.

The CHAIRMAN. The question is on the amendment of the gentleman from Massachusetts.

Mr. MANN. The Chair is in error as to the request of the gentleman from Massachusetts. His motion was that all debate upon the amendment and amendments thereto be closed.

The CHAIRMAN. The gentleman will suspend a moment, and the Chair will be informed as to what order was made.

Mr. WEEKS. Mr. Chairman, I ought to state that, in the judgment of "the gentleman from Massachusetts," the Chair is in error in the statement that the motion which I made applied to any other than the amendment of the gentleman from West Virginia and all amendments thereto.

The CHAIRMAN. Then the Chair will recognize the gentleman from Illinois.

Mr. MANN. Now, Mr. Chairman, what is the effect of this amendment? If a sleeping car goes off the main line, if it is a through route, the steel car then would have to be placed at the head of the train. That is no protection to the postal car; that is no benefit to the train. On the contrary, it is a menace to the train. The wooden postal car at the head of the train is far safer with the steel Pullman in the rear than with the steel Pullman immediately in front. Yet that is the inevitable effect of the amendment, because the steel car would have to go in front of the train on all branch roads. The effect of this

amendment will be that if the sleeping car is a steel coach it must be put at the head of the train. That is not in the interest of the safety of the postal clerks; it is not in the interest of having the railroads construct and use steel cars. I can not see what earthly advantage it is to anyone. To say that they can not use a wooden postal car upon a train of steel cars is perfectly proper. I do not know whether any railroad does that or not, but it ought not to be permitted. A through steel train ought not to be permitted to use wooden coaches or wooden express cars or wooden postal cars; but because one car in the train is steel, we ought not to require that car to be in front. As steel cars become more in use, probably we may require that they be placed at the front end of the train. This is not in the interest of the safety of anybody.

Mr. MARTIN of Colorado. I would like to ask the gentleman a question.

Mr. MANN. I yield to the gentleman.

Mr. MARTIN of Colorado. That is, if he does not know that it is the practice now in some parts of this country to put the heavy cars next to the engine?

Mr. MANN. I do not know that it is.

Mr. MARTIN of Colorado. Is not the train made up in that way, and that a statement that the placing of the heavy car next to the engine is absolutely dangerous is contrary to the opinion of all practical experienced railroad men?

Mr. MANN. That is the opinion of the gentleman, himself a railroad man?

Mr. MARTIN of Colorado. And his opinion is the experience and opinion of railroad men throughout the country upon that subject.

Mr. MANN. That is your statement.

Mr. MARTIN of Colorado. That is the fact. You have advanced no facts here at all; only made bald statements that it is not safe to have the heavy car next to the engine.

Mr. WEEKS. I ask unanimous consent that debate upon this paragraph and amendments thereto end at 3 o'clock.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that debate on this paragraph and amendments thereto close at 3 o'clock. Is there objection?

Mr. GARRETT. Reserving the right to object, I want about two minutes. I have offered an amendment, but it does not come in at this place.

Mr. WEEKS. Take that time now.

The CHAIRMAN. Is there objection?

Mr. WEEKS. I have asked the gentleman from Tennessee to take his time now.

Mr. GARRETT. I would offer an amendment, but I can not offer it right now, because it is not in order at this place.

Mr. COX of Indiana. Will the gentleman allow me to ask him a question?

Mr. WEEKS. Yes.

Mr. COX of Indiana. As I read the gentleman's amendment, the main purpose to be served will be to compel the placing of cars in front, and that is where a wooden postal car is used it must be immediately after the steel car.

Mr. WEEKS. Behind the steel car.

Mr. COX of Indiana. Behind the steel car. That is the way I understand the gentleman's amendment.

Mr. WEEKS. This amendment, which has been substantially agreed to by the Post Office Committee to-day, is practically what the department is now doing. It has notified the railroads that hereafter they should not use wooden cars in connection with steel trains. The railroads, without exception, as far as there is any information before the committee, are following the suggestions made by the department. Manifestly it is bad policy to put a wooden car between steel cars or to put a wooden car immediately next to or anywhere near a steel car following. I think the gentleman from Illinois is in error in saying that a large proportion of the accidents which occur are not due to trains leaving the track, and I think that rear-end collisions are comparatively few in number. Of course in the case of a rear-end collision, if there were steel cars behind the wooden cars, they might to some extent protect them, though even in that case the steel cars would telescope the cars ahead. Therefore I believe it will serve to protect railway employees if this amendment is adopted.

Mr. MANN. Will the gentleman yield for a question?

Mr. WEEKS. Yes.

Mr. MANN. Under the amendment of the gentleman, if the train happens to be made up, as it will be, of steel coaches, wooden coaches, and postal cars, the steel coach will come first, then the postal car, then the express car, then several wooden coaches. It will be a great convenience to the public, will it not, in getting on and off the train?

Mr. WEEKS. We are informed by the department that it is considered a protection to the railway post-office car that

follows the steel car in the same train; that if there is a steel car between the locomotive and the railway post-office car it is considered a protection to the railway post-office car.

Mr. MANN. That is a ridiculous proposition.

Mr. WEEKS. That is what railroad men say, at all events.

Mr. CALDERHEAD. Mr. Chairman, I have paid close attention for the last four or five years to the condition of the railway mail cars. I have ridden on a good many of them. I have observed that it is not to the credit of the Government, or to the railroads either, that the railway mail car is usually the poorest car in the train. Upon all the branch lines the railway mail car is usually an old, worn-out freight car that is rebuilt and is divided into a compartment car for the purpose of carrying the mail in one end and the local baggage in the other end. Express companies will not make contracts for cars of that kind. Within the last three years I have kept a note of all the railway accidents where clerks were killed, and in every instance where there was a head-on collision and a wooden railway mail car it was the railway mail clerks who were killed and wounded and sometimes nobody else on the train injured. I think in the last year, in every accident that has occurred by a head-on collision, railway mail clerks have been killed or wounded, sometimes an express messenger wounded, and often no passenger injured.

The great Union Pacific Railway claimed to its credit that for the last year it had not had a passenger killed or wounded on its trains, and it has a good record for care; yet there was not a derailment where the engine, followed by the mail car, left the track that did not either kill or wound a railway mail clerk. A showing of this kind is not creditable to the Government or to the railroads, either; and if the Postal Department has the power to require the roads to put on special cars, that order ought to be enforced now without waiting until the year 1916 or any other year after this. These clerks are required to do their work with speed and accuracy, and to do it while the train is in motion. The car being the lightest car in the train receives the oscillating motion with a shock at every variation in the track. The clerks must do their work standing on their feet, and I have seen men thrown from one side of the car to the other while they held packages of letters in their hands, distributing to the pouches hanging on the frames, and receive injuries because there was not room enough to shift their position. I have been in mail cars where the sanitary fixtures were a disgrace to the owners of the cars and to the department which accepted them in any contract. There is no reason why such conditions should be permitted to continue another day. The clerks serve with unflinching fidelity and the utmost care of the Government while they are working is due to them, as well as due to the good name of the Government.

The CHAIRMAN. The time for debate has expired. The question is on the amendment offered by the gentleman from Massachusetts.

The question being taken, the amendment was agreed to.

Mr. HUGHES of West Virginia. Mr. Chairman, now that we have disposed of the post-office car question in a manner satisfactory to the committee, and I hope satisfactory, also, to the country, I want to call attention briefly to other matters of importance to the Railway Mail Service.

I am in favor—

First. Of making a maximum day's work consist of eight hours, of which one and one-half hours shall be devoted to study and the correction of schemes; the working week to be six days, allowing credit for 52 Sundays and legal holidays by dividing the hours of actual road duty each year by 307 instead of 365.

Second. Pay for extra duty and overtime caused by delayed trains. All railway companies, I believe, recognize the justice of their trainmen's claims and pay them for overtime; therefore, in all justice to the railway postal clerks, they should be allowed pay for overtime as well. Take, for instance, the month of December, an exceedingly busy season, when the railway postal clerks are compelled to work many hours overtime, for which they are not paid one cent, to say nothing of the deprivation to them of being away from their homes and families during the holiday season. They should be paid for this extra work.

Third. Clerks should not be required to perform service on lines other than those to which they are regularly assigned.

Fourth. Substitute clerks should be employed to take the place of clerks who are off regular duty, instead of requiring the remaining clerks on the line to perform the service. I have in mind one of the heaviest lines in the country, over 300 miles in length, on which when two regular clerks are off the work has to be kept up by the remaining clerks. This condition could be remedied by the assignment of substitute clerks.

Fifth. An increase of salaries commensurate with the increased cost of living. The 10 per cent increase of a few years ago is not sufficient and is disproportionate to the cost of the necessities of life.

Sixth. An adequate travel allowance to cover the cost of food and lodging while traveling on the business of the department and away from their domicile. The beggarly sum now allowed of 6 cents per meal and 14 to 20 cents for a bed is totally inadequate. At least \$1 per day should be allowed.

Mr. Chairman, if above provisions are put into effect by law and increased appropriations, the Railway Mail Service will be lifted from a state bordering upon demoralization, and this now discouraged but loyal and zealous body of employees will show their appreciation in a manner that will add greatly to the efficiency of the service.

Mr. Chairman, I also favor increased compensation in all branches of the postal service. I am for an average eight-hour day and pay for overtime work.

I think the city letter carriers should get more pay, and be promoted to the maximum grade of pay just as soon as they demonstrate efficiency.

Rural carriers are the most underpaid class of employees in the postal service, all things considered. I would make the pay of carriers on standard routes not less than \$1,200 per annum and on shorter routes in the same proportion.

The postal service is the people's service. It comes nearer making the people feel that they are really a part of the great Government than any other branch of our national activities. It is a matter of daily contact. I believe in the right kind of economy and that every dollar spent for this or any other public utility should bring a just return and be strictly accounted for, but this is not the service in which to exercise a spirit of parsimony and false economy for the sake of appearances. The postal service is almost self-sustaining. That it should be altogether so is a consummation devoutly to be wished, but to bring expenditures therefor in close approach to receipts means nothing—nothing wholesome, at least—unless accompanied by generally satisfactory results. We have to-day conditions far from being satisfactory, in the judgment of those in position to know. Economies have been introduced at the expense of good service and extension of the service—especially the rural service. This bill in many respects affords remedies, but, in my judgment, it might go further in increasing salaries of clerks, carriers, and other employees, and in improving and extending the operations of the service. We have come to look for a deficit in this service, and I should not be alarmed if one is created during the next fiscal year in excess of that for the past year, provided we get good service and the army of hard-working postal employees feel that they have been reasonably and fairly treated. But I don't want to see a deficit and an economy record too, both of which mean impaired and inadequate service.

Mr. GARRETT. I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

In line 11, page 21, strike out the word "sanitary" and insert the following:

"Equipped with sanitary drinking-water containers and toilet facilities, nor unless such car is regularly cleaned."

Mr. GARRETT. I ask two minutes on this amendment.

Mr. WEEKS. Mr. Chairman, there must be some limit on this debate, because the time for debate on this paragraph and amendments is ended.

Mr. GARRETT. I only ask for two minutes.

Mr. WEEKS. I hope the gentleman will be given unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Tennessee asks for unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. GARRETT. Mr. Chairman, I simply want to say that I disclaim any intention of reflecting on the department in the administration of the sanitary provision placed on the bill last year, because I have no information to lead me to do so. I believe this language will strengthen that provision, and it can at least do no harm whatever. It makes more specific the general term which was placed in the law last year, and it brings more definitely into the law the purpose in the mind of the House when it was enacted into law last year. I trust that the amendment will prevail.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. When the House adjourned on Saturday we had reached the end of the paragraph ending on page 22, line 13. The gentleman from Iowa [Mr. Good] had offered an amendment, which the Clerk will report.

The Clerk read as follows:

Add after the word "dollars," line 11, page 22, the following:

"Provided, That no part thereof shall be expended in paying the salaries of railway mail clerks who are required to perform in excess of 39 hours' duty in any week."

Mr. WEEKS. And to that, Mr. Chairman, I had reserved a point of order.

Mr. GOOD. Mr. Chairman, I now ask to withdraw that amendment and offer the following.

The Clerk read as follows:

Insert after the word "dollars," line 11, page 22, the following:

"Provided, That no part thereof shall be expended for paying salaries of any railway postal clerk who is required to perform in excess of 156 hours of service in any four weeks."

Mr. WEEKS. And I reserve a point of order to the amendment.

The CHAIRMAN. Is there objection to the modification proposed by the gentleman from Iowa?

There was no objection.

Mr. MARTIN of South Dakota. Mr. Chairman, I desire to offer an amendment by way of perfecting the amendment of the gentleman from Iowa.

The CHAIRMAN. The proposed amendment can be read for information.

The Clerk read as follows:

Add to the amendment of the gentleman from Iowa the following:

"Unless such clerks shall be paid additional compensation for the service performed in excess of said period."

Mr. GOOD. Mr. Chairman, I am not in sympathy with many of the rules and orders that have been—

Mr. MANN. Mr. Chairman, I reserve a point of order on the amendment to the amendment. I did not know it was offered at this time.

Mr. GOOD. Mr. Chairman, I am not in sympathy with some of the orders of the Post Office Department affecting the salaries of railway postal clerks, nor am I in sympathy with that kind of economy whereby this committee seeks to save \$500,000 per annum through a reduction of the salaries of these clerks.

If the recommendations of the Committee on the Post Office and Post Roads with regard to the salaries of railway postal clerks are to be adopted by Congress, we will have appropriated this year \$500,000 less for the salaries of railway postal clerks than we appropriated for a similar purpose at the last session of Congress. It is apparent that if the Government saves \$500,000 a year by reducing the pay of railway postal clerks the clerks in that service will lose in salaries an amount equal to that which the Government saves. It would be most commendable, indeed, to reduce the salaries of Government employees where they are overpaid. It would likewise be praiseworthy to reduce the number of Government employees where more are employed in any branch of the service than that branch requires. But who will say that the railway postal clerks are overpaid, and who will contend that they are not overworked? It was stated on the floor the other day by the gentleman from Minnesota [Mr. Tawney] that there was no class of Government employees more underpaid and more overworked than the railway postal clerks. I know of no one in public life better qualified to speak on a subject of this kind than the chairman of the Committee on Appropriations.

The policy adopted by the Post Office Department with regard to this service seems to be to cut the salaries of railway postal clerks and at the same time increase their labors. Vacancies caused by the death or resignation of railway postal clerks are not filled, but the clerks who remain in the service are compelled to do not only their own work but the work of those clerks who have left the service. That this policy is demoralizing the service anyone who has given the subject any consideration must admit.

Conditions do not warrant the establishment of this most extraordinary policy of the Post Office Department. The hearings had before the Committee on the Post Office and Post Roads reveal the fact that the mail tonnage is rapidly increasing. Competition between business rivals has become so keen that business men demand prompt and accurate delivery of mail matter. Natural conditions, therefore, would indicate that the number of railway mail clerks should be increased, and if salaries are to be fixed with due regard to the purchasing power of the necessities of life, no one can seriously contend that the reduction of the salaries of railway postal clerks can be justified. This policy should be reversed. The service needs more men, and the men engaged in the service are entitled to more pay.

The amendment which I have offered to this bill is a limitation on the appropriation. Were it not subject to a point of order, I should offer an amendment fixing the maximum hours of service at six and one-half hours per day and providing extra pay for clerks who are required to work in excess of six and one-half hours per day. It must be remembered that

in computing the time of railway mail clerks only the schedule time is considered. No account is taken of the work required before trains depart and after they arrive, nor is any account taken of the time consumed by reason of late trains. If we add to the six and one-half hours the railway postal clerks would be required to spend in working the mail on trains the time consumed by them in study to keep posted on from five to ten thousand post offices, to correct schedules from weekly bulletins, to prepare labels for service on the road, to perform extra service without pay during periods when mails are heavy, for examination, and for the study of routes and time tables, in order that mail may be routed so that it will reach its destination at the earliest possible moment, we will find that this class of Government employees are obliged to work considerably in excess of eight hours per day.

The amendment which I have offered is as follows:

Insert after the word "dollars," line 11, page 22, the following: "Provided, That no part thereof shall be expended for paying salaries of any railway postal clerk who is required to perform in excess of 156 hours of service in any four weeks."

It has been suggested that this amendment would work a hardship on many railway postal clerks, in that they would not be permitted to receive any compensation at all. In reply, I call the attention of the committee to the statement contained in the letter of the Second Assistant Postmaster General, directed to the Postmaster General, under date of January 17, 1911:

There are 14,483 railway postal clerks assigned to road duty. The total average of time on duty on trains and at terminals is 6 hours and 33 minutes, but the hours of work on the various lines range from below five to above nine hours, as will be seen by the following table:

	Number of clerks.
Under 5 hours.....	552
From 5 hours to 5½ hours.....	1,447
From 5½ hours to 6 hours.....	2,199
From 6 hours to 6½ hours.....	2,887
From 6½ hours to 7 hours.....	3,012
From 7 hours to 7½ hours.....	2,105
From 7½ hours to 8 hours.....	1,079
From 8 hours to 8½ hours.....	640
From 8½ hours to 9 hours.....	295
Over 9 hours.....	267

General average for the 14,483 clerks, 6 hours and 33 minutes.

It will be seen that the general daily average of the 14,483 clerks now employed in the Railway Mail Service is 6 hours and 33 minutes. My amendment is based on a 6 hour and 30 minute day, but it would not permit the department to work over 6,000 of these railway mail clerks almost eight hours per day and then require extra duty of them consuming more than an hour and one-half per day and, in addition to that, compel them to perform the work of the clerks who were sick or of those who died or who had resigned. These 6,000 clerks would not work without pay, and this amendment would compel the department to reorganize the service on a more just and liberal basis.

Mr. GARRETT. Will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. GARRETT. I have sympathy with the purpose the gentleman is seeking to accomplish, but there is this practical difficulty about his amendment, in the language proposed, namely, that the clerks may work overtime and then not get any pay at all.

Mr. CHAIRMAN. The time of the gentleman has expired.

Mr. GARRETT. I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, in reply I will say that the amendments which the gentleman from South Dakota [Mr. MARTIN] has offered will cure that defect, if it be a defect. If the amendment offered by the gentleman from South Dakota is not adopted, however, I hardly think that the adoption of my amendment will work any such hardship on these clerks, for we must remember that practically three-fourths of the railway postal clerks are in the same condition. They are obliged to work overtime. In fact, there seems to be no limit to the time which the department may require them to work, and the enforcement of the limitation provided for in my amendment would force a reorganization of this department. It would be compelled to recognize conditions that exist and make schedules to conform to these conditions.

Mr. GARRETT. But I suggest the occasion the gentleman speaks of when the trains are late.

Mr. GOOD. My amendment does not relate to times when the trains are late. As I understand it, the law or rules of the department provide that the time that trains are late is not taken into consideration in computing the time such clerks are required to work.

Mr. GARRETT. Is that the general law?

Mr. GOOD. I so understand it; it may, however, be governed by a rule of the department.

Mr. BARTLETT of Georgia. The gentleman uses the phrase "required to work overtime."

Mr. GOOD. Yes; a departmental order fixes the runs, and clerks who are operating on a certain line are required to work on an average of from five to nine hours per day, and this amendment is intended to limit such orders. It would require that no schedule be put into effect requiring on an average more than six and one-half hours of daily duty of any clerk.

Mr. BARTLETT of Georgia. Would not the gentleman reach the point by providing that no part of this money should be used to pay the salary of any official who would require the postal clerks to work overtime? In other words, you would punish the official that required it and not make it possible to punish the clerk by keeping it away from his salary. I suggest to the gentleman that he add to the amendment a provision that no part of this fund shall be used for the payment of the salary of any official who requires postal clerks to work over the hours named, and then I think we will reach the root of the evil.

Mr. GOOD. That amendment would hardly be germane to the paragraph.

The discussion of this paragraph of the bill reveals the fact that there is widespread dissatisfaction with regard to this division of the postal service. This dissatisfaction is not limited to the persons employed in this service, but is largely shared in by the business men as well. It would be unfair to the railway postal clerks to say that their only grievance related to their hours of service or to their pay. I am constrained to believe that an injustice equally great as this has been committed by depriving them of their right to petition Congress for redress. By virtue of an order which is as binding as a statute, no person employed in the classified service is permitted to even appeal to his Member of Congress regarding any grievance that he may have. No matter how great an injury such an employee of the Government sustains, he is not permitted to even speak to a Member of Congress about it. The right of petition, aye, almost the right of free speech on that subject, is denied such employees. Any person violating this order does so at the peril of losing his position.

I know of no department in the Government where a higher degree of efficiency has been obtained than in the railway post office. This branch of the Government service requires men of more than the ordinary ability. In the discharge of their duties mistakes are few, and while the danger to life and limb has been great, they have been found ever ready to perform the duties which their employment requires. They are as loyal and as patriotic citizens as will be found within or without the service, but it is not strange that they should resent the enforcing of a rule, which, in effect, deprives them of one of the most cherished human rights.

My attention has recently been called to an injustice that ought to be speedily remedied. I would, if within my power, remedy it by an amendment to this bill. Through a departmental order recently made a 30-foot apartment car was substituted for a full railway postal car of 40 feet. I have been advised by the committee that this change was made to effect the saving in the rental of a railway mail car, amounting to \$6,000 a year. It is most commendable in the department to save rentals of unnecessary cars. The Post Office Department would be subject to most severe condemnation if it expended money in the rental of more mail cars than were necessary to handle the mail. By the reduction in the size of the car an automatic reduction is made in the salaries of all railway postal clerks who are obliged to work the mails on such a run. In the case just referred to the clerks who worked the mails in a 40-foot car received a salary of \$1,500 per year. Now, that they are working the same mail, or more, in a 30-foot car, their salaries are automatically reduced to \$1,100 per year. It is evident that the law should be changed so that the Postmaster General can make a reduction in the size of the cars required in moving the mails, without at the same time working an unintentional hardship upon the railway mail clerks. One of the clerks on this line has been in the service for more than 16 years, and for 13 years has not missed a single regular run, and in 30 examinations taken during that period he has not fallen below 99 per cent. It is indeed unfortunate that there should be a law upon the statute books that would automatically work such an injustice. I have introduced an amendment to cure this objection, and I regret that the chairman of the committee has made a point of order against it.

My study of this question convinces me of the necessity of amending the postal laws in many important particulars. I recognize the danger of taking up the revision of such a law while we are considering this appropriation bill. It seems to me that at the earliest opportunity we should, by general legislation, declare what shall constitute a day's work for railway

postal clerks and provide for extra pay for such clerks for overtime. Why these clerks should be singled out in a class by themselves and the economy program enforced against them, when the law prevents its enforcement against other postal employees, I am at a loss to understand.

With the mail tonnage so rapidly increasing, and with no improvements in the handling of such mail, it would seem that it is poor economy to reduce the force which must handle this mail. With the purchasing power of a dollar less to-day than it has been at any time in the past 10 years, what argument can be advanced for reducing the pay of this class of Government employees? That the recent orders promulgated by the Post Office Department so vitally affecting a large class of railway postal clerks has already resulted in the demoralization of this service no one will deny. If the further issuance of such orders, or the enforcement of those already issued, is to be indulged in, it is impossible to forecast the result.

The men engaged in this service have desires and ambitions. They are as quick to appreciate a favor and as slow to resent a wrong as anyone, but unless I mistake the signs of the times they will not much longer continue to accept without protest the orders which are being made reducing their pay and increasing their work, and at the same time cutting off from them the right to make any appeals to Congress to redress these wrongs. A general strike of the men engaged in the railway postal service would materially affect every business, financial, and industrial enterprise throughout the length and breadth of the land. I sincerely hope that at a very early day we may consider that bill which has been reported to the House for amending and codifying our postal laws, to the end that this class of public servants, who are overworked and underpaid, may be treated with justness and fairness.

Mr. COX of Indiana. Would not this come nearer solving the problem than any other way, by providing that a postal clerk should not work over and above so many hours each week or in each month, and let the Post Office Department arrange its schedules accordingly, upon the same principle or along the same lines as when Congress a few years ago passed a law prohibiting the railway companies from working their employees more than 16 hours out of every 24? The railway companies solved that problem by fixing the running of their trains so as to keep the employees on duty only 16 hours out of every 24. I think it is clearly within the province of the Post Office Department to arrange their schedules.

Mr. STAFFORD. Mr. Chairman, it is not a pleasant duty to oppose an amendment that limits the hours of service of employees who in some cases work under great stress during the time of their service, but this Railway Mail Service is of such diverse conditions—some performing service which requires intense occupation during the terms of their employment, others on railway routes where their time is not pressed, where the clerks are detailed to slow-moving mixed trains composed of passenger and freight cars—that to place an arbitrary limit on the hours of service for all railway mail clerks is a proposition that is impractical and should not be attempted. I am acquainted with the character of the service performed by these railway mail clerks on the heavy lines running between New York and Chicago and Chicago and the Northwest, and on lines with only apartment cars, where their work in some cases is not one-half of that performed in the same amount of time as it is on the heavy lines. To give an illustration of the latter line I wish to cite the train running from Traverse City to Northport, in the State of Michigan, where the cars are attached to mixed trains, and where the train has long stops at stations to dispatch and receive freight, and where the mail is very light.

Now, in the arrangement of compensation to trainmen, such as conductors and brakemen, connected with the railroad service, their pay in many instances is based upon mileage. For us in this way to make an arbitrary limit of the maximum number of hours based on the heaviest lines ignores the light work on the slower runs. There are instances where men would rather go on an apartment-car line that takes them 10 hours a day than work under the stress that is required where their hours of employment are arranged on the five-hour basis. We have before us here the returns and the average length of the hours of service. The average length is a little over six and a half hours, and there are some instances where the work is more than nine hours. In those instances it is where the work is light. The department gives a preference to aged men to accept a run on the apartment-car line where the runs are light, and yet you are going to put a fast rule down to limit the hours of employment without any regard to the actual service. I wish to say that I am not in sympathy with any arbitrary order that has been put in force by the Post Office Department that seeks to compel men on the heavy runs to work longer hours under the guise of economy, but I do not want this body

to adopt an amendment which does not take into consideration the actual conditions of the service.

I do not believe the proponent of this amendment is acquainted with the different kinds of service that are performed and the schemes of hours that the department arranges according to the intensity of the work, else he would not have proposed this ill-adapted amendment.

Mr. KENDALL. Will the gentleman yield for a question?

Mr. STAFFORD. I yield.

Mr. KENDALL. I want to inquire if the Department has not now established schedules on practically all mail runs.

Mr. STAFFORD. The schedules are established on a general basis according to the amount of service performed on the respective lines. Where the apartment-car service prevails there are some lines running 90 miles, others 125 miles a day, where it would be impracticable under the scheme proposed to limit the hours to six and a half or seven and a half or eight and a half hours a day. Where the work is not very heavy on long runs they arrange it so that clerks receive two weeks on and one week off. Where the work is severe they allow the clerk to work one week of six days and take the following week off. On the apartment-car lines they are generally required to work six days a week in the 52 weeks, excepting the 15 days in which they are granted their vacation.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BORLAND. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes. I want to ask him a question when he finishes.

The CHAIRMAN. The gentleman from Missouri [Mr. BORLAND] asks unanimous consent that the gentleman's time be extended five minutes. Is there objection?

There was no objection.

Mr. KENDALL. I want to make this further suggestion—

Mr. STAFFORD. Now, the time of employment is carefully scrutinized by the department and is adjusted according to the hours of service, and also as to the intensity of work that is required of them during the hours they are so engaged.

Mr. KENDALL. Now, the gentleman has suggested here that under the regulations of the department the clerks are required to work so much time and then are allowed a lay off of so much.

Mr. STAFFORD. It varies according to the length of the line and the character of the work of the respective runs.

Mr. KENDALL. Can the gentleman suggest any reason why a clerk operating under those circumstances, which entitle him to his lay-off period, ought not to be compensated in an extra amount when he is required to work during that time he is supposed to be on vacation?

Mr. STAFFORD. There are two different ideas that the department takes into consideration in arranging these hours of service, and one of them is intensity of application. On the heaviest lines, as I have said, they make the six days on and the six days off schedule. Where the mail is not so heavy and conditions permit they put on the schedule of two weeks on and one week off, and where the work is light, on a slow-moving train, as on the branch roads, they put on an apartment-car service, which requires the men to work daily 52 weeks in the year, except the 15 days on which they have their vacation. And the department has taken that into consideration—the intensity of the work—in all the adjustment of the schedules, in arranging the amount of time that they are on and the amount of time that they are off.

Mr. KENDALL. Has not the department established these schedules, and then in cases of illness among the clerks has it not required the able-bodied clerks to work the time that ought to have been worked by the clerks who are sick, in the interest of economy?

Mr. STAFFORD. I am not at this time attempting to justify any action of the department in trying to compel the men who are employed in the regular service to do the work that was performed by an absent clerk. I am just directing attention to the impracticability, by reason of the scheme of arrangement of the service and the differing and varying kinds of service, of laying down an arbitrary rule, as is proposed by the gentleman's amendment, limiting the hours of employment to 39 in any one week or 156 in any four weeks of service.

Mr. KENDALL. I think the purpose of the amendment is to enable clerks to get pay for extra labor.

Mr. STAFFORD. By this arrangement you disorganize the entire service—

Mr. KENDALL. I will say to the gentleman from Wisconsin that the service is already demoralized.

Mr. STAFFORD (continuing). By not granting any extra compensation or allowance to the heavily worked man but granting it to men on the light runs who are not overworked,

Mr. KENDALL. I want to say in response to the gentleman—

Mr. STAFFORD. I wanted to say in my remarks before I was interrupted by the gentleman from Iowa, that I was not in sympathy with any proposition that sought to compel the railway mail clerks to work overtime under the guise of economy, but I do not believe in adopting any arbitrary limit when the service does not permit of any such arrangement.

Mr. KENDALL. I hope the gentleman from Wisconsin does not apprehend that this will demoralize the service. It is so completely demoralized in the western country now that the adoption of this amendment could not have effect there.

Mr. STAFFORD. That condition, if any such exists, can not be charged up to "the gentleman from Wisconsin," the Post Office Committee, or to any Member of Congress. We have appropriated sufficient money for enough employees for the service, and if the department has by any course adopted a plan that has brought that about, then the responsibility lodges at the door of the department and not at the door of Congress or the members of the Post Office Committee.

Mr. COX of Indiana. May I ask the gentleman a question? Is not this true, that the average run of the railway postal clerks, operating or working in a full railway post-office car, is about six and one-half hours?

Mr. STAFFORD. The average of all the clerks in the service is about six and one-half hours. Two hundred and seventy-six average under five hours, 762 from five to five and one-half, 1,342 from five and one-half to six, 1,542 six to six and one-half, 1,608 six and one-half to seven, 809 seven to seven and one-half, 357 seven and one-half to eight, 221 eight to eight and one-half, and 67 eight and one-half to nine, or the average of the total 6,984 working in full railway post-office cars is 6.21 hours per day of six week days, as shown from the records printed in the hearings.

Mr. COX of Indiana. That is according to the report from the department.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KENDALL. I ask unanimous consent that the gentleman may be permitted to proceed for five minutes. I do not like to take all his time.

Mr. WEEKS. I ask unanimous consent that all debate upon this amendment may end in 15 minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that debate on this amendment close in 15 minutes.

Mr. MARTIN of South Dakota. I desire five minutes on this amendment.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. Will the gentleman permit one question about this six and a half hours?

Mr. STAFFORD. I yield to my colleague.

Mr. COOPER of Wisconsin. Mr. Chairman, I desire to ask the gentleman from Wisconsin about this six and one-half hour a day employment. As I understand it, that is not all the time they are actually engaged.

Mr. STAFFORD. All the hours from beginning work at the initial terminal until they return.

Mr. COOPER of Wisconsin. As I understand it, in a large majority of instances they work six and one-half hours on the train and they are obliged to work after they come off the train.

Mr. STAFFORD. That also represents the time they are obliged to work afterwards. I wish now to direct attention to the point of order.

Mr. DAWSON. If the gentleman will permit me.

Mr. STAFFORD. I yield to the gentleman.

Mr. DAWSON. I would like to inquire whether the department makes the six and one-half hours per day the irreducible minimum. Does this six and one-half minimum provision mean without regard to how fast the train runs or how much labor the men are required to perform?

Mr. STAFFORD. The data presented to the committee by the department shows the minimum on the very heavy runs to be five and five and one-half hours; but the average for all the service, taking into consideration not only those runs on which they are most engaged, but those on which they are lightly engaged, is six and one-half hours. It would not be fair, I wish to say to gentlemen here, to impose this arbitrary limit of 39 hours a week. It is not giving relief to the men who most deserve it. You do not want to adopt a provision which would apply most to those engaged on the slow-moving trains, and not recognize the men who do the hard work and who ultimately wear themselves out in the service on these fast-running trains, all the time actively engaged in the distribution of mail. I do not believe it is fair to have any such arbitrary limit, that will not do justice to all,

but will only increase the compensation of the men with lightest work, who have less grievances than those who are overworked and who have more meritorious claims.

Mr. DAWSON. If the gentleman will permit me in that direction, I wish to say his views and mine are in exact accord on the first point, as to doing justice with reference to these men on the fast trains. Yet I happen to know of one of the runs of this class, which runs through my home town in Iowa, that the men have been recently put on the six and one-half hour basis, and it has increased their working hours, and the result has also reduced their pay. Now, I would like to ask the gentleman whether his committee has recommended anything in this bill that will convey to the Post Office Department the fact that Congress does not approve of a policy which brings about this result.

Mr. STAFFORD. We have in this bill provided for additional clerks, that will meet all the demands of the growing service, and that will not allow the men to be worked on the heavy worked lines an average of more than six and one-half hours.

Mr. KENDALL. That is, you appropriate for that?

Mr. STAFFORD. Not only appropriate but make provision for the number of men required.

Mr. KENDALL. But you do not make it obligatory.

Mr. STAFFORD. Oh, not at all; but we provide the means. What I wish to lay emphasis upon is that this amendment, offered by the gentleman from Iowa [Mr. Good], does not reach the conditions, does not better the situation at all, but merely aggravates it by rendering some assistance to the clerks from whom there is no complaint at all.

Mr. MARTIN of South Dakota. Mr. Chairman, upon Saturday before adjournment I offered an amendment which, while no doubt it is not perfectly drawn and could be improved upon, would, I think, if objection were not made on the part of the Post Office Committee, probably work justly to all classes of employees—those on the more difficult runs and those upon the easier ones. My amendment, in a word, provides—it being understood always that schedules are made somewhat in proportion to the amount of work required—that whenever a postal clerk shall be required to work during his regular lay-off period he shall be compensated therefor. Now, that would apply and in a measure give relief whether his lay-off period is for a short or a long term, or whether he works five hours or five and a half, or from seven to nine hours. In other words, it being understood that the schedules are arranged with a view to working justly to the employees, when more work is forced upon them, they should be paid for it.

But we are met with the point of order from the chairman of the committee against that effort to make an absolutely fair adjustment of this matter as well as Congress can, and we are left, therefore, if we are to give any relief to this situation at all, to confine our proposition to limitations on this appropriation. The limitation proposed by the gentleman from Iowa [Mr. Good] is what has practically been conceded, in the correspondence which the chairman of this committee introduced from the Post Office Department upon Saturday, to be the average day of six and one-half hours, taking one week with another, of actual work in this service. That is an arbitrary amount, it is true, and if the committee can suggest any other arbitrary provision that will be more likely to work justice in all cases, that should be adopted; or I think the gentleman from Iowa [Mr. Good] might even modify his amendment so that none of this appropriation could be used for the payment of clerks who are required to work during their lay-off period.

Mr. GOOD. I shall be very glad to accept that.

Mr. MARTIN of South Dakota. I believe that would be a better provision. Now, following that I have offered an amendment which I think is not only germane but is proof against the point of order, which amendment is in this form, to be added to the proposition of the gentleman from Iowa:

Unless such clerk shall be paid additional compensation for the service performed in excess of the said period.

Mr. GOOD. I will agree to that.

Mr. MARTIN of South Dakota. In other words, that proposition will make it necessary that the department, in arranging its working force, should recognize this limitation. If the gentleman from Iowa accepts that it will solve the difficulty. We must make this in the form of a limitation, that none of the fund can be used in payment of clerks who are compelled to work overtime unless they are paid for such overtime.

Now, I can not see how this committee or any Member of this House can seriously antagonize a proposition of that sort. We are confronted with the condition to which I called brief attention upon Saturday, and I have here numerous telegrams and other information received since then, which I desire permission to introduce into the RECORD, which shows that in the

Northwest, not in my State alone but all over the Northwest, the service, as the gentleman from Iowa has very pertinently said, is now demoralized. In one division in my State, on the route from Minnesota to the capital of our State, 38 men, practically the entire force, are upon a strike now, simply because of the fact that for weeks, in a service that had already grown beyond the possibility of the present force to handle, they have been compelled to do the work of the sick and the disabled—in other words, doubling up their own work—when they were absolutely unable, and have been for weeks and months, to handle the mail without sending it back and forth to be worked out on other runs.

Mr. KENDALL. And no extra compensation for it.

Mr. MARTIN of South Dakota. And no extra compensation for it. It has evidently been the policy of the department, at least for a few months back, not to use this appropriation that was so liberally made a year ago. I know the claim of the department is that they are taking up slack, but it can not be said that they are taking up slack in parts of the country where the postal business has increased beyond the ability of the clerks to handle it; and while a legitimate effort to take up slack in some parts of the country may be all right, there is absolutely no such condition in the Northwest.

My colleague [Mr. BURKE] has taken an active interest in the efforts to relieve the congested conditions in the Railway Mail Service in our State, and has handed me some of the data which I desire to put in the RECORD. He is confined to his room by illness, or he would be here taking part in this debate.

The documents for which permission to print in the RECORD was requested were the following:

UNITED STATES POST OFFICE,
Sturgis, S. Dak., January 20, 1911.

Hon. E. W. MARTIN, M. C.,
Washington, D. C.

MY DEAR MR. MARTIN: I am inclosing herewith copy of letter mailed to-day to the Second Assistant Postmaster General relative to Railway Mail Service on the Deadwood & Chadron line.

I have delayed writing for some time, hoping that the recently inaugurated Railway Mail Service on the line between Whitehead and Newell might relieve the conditions somewhat. However, it does not appear to have bettered the matter, and there is a considerable and growing complaint among the business men of Sturgis that important mail is too often carried past.

Any further information that you or the department may require will be promptly furnished.

Yours, sincerely,

FRANK SMITH.

STURGIS, S. DAK., January 20, 1911.

SIR: I regret to inform you that the railway mail service on the line of the Chicago & Northwestern Railway between Deadwood, S. Dak., and Chadron, Nebr., is very unsatisfactory, so much so, in fact, that the matter is causing considerable complaint and criticism among the patrons, particularly the business men, of the Sturgis post office.

Some of the registered mail and a large quantity of ordinary mail for the local offices along this line is continually carried past by the railway postal clerks, thus delaying such mail for from 8 to 16 hours.

I have spoken to the clerks on this run in reference to the matter and they inform me that it is a physical impossibility for one clerk to handle the mail and make all local dispatches properly. The rapid settling up of the northwestern portion of South Dakota has resulted in an enormous increase in the amount of mail handled on this run. The local offices along this line are distributing offices for a country extending 90 to 100 miles northeast of the railroad. Sturgis has 14 "dis" offices: Piedmont, 3; Whitehead, 8 or 10; Newell, 6 to 10; and Bellefourche has about 20. The transient mail handled at Sturgis averages about 2,000 pieces daily. Bellefourche must handle as much, or more, while Whitehead and Newell together must handle nearly the same amount.

Three to five hundred letters are mailed at the mail car just before it leaves Deadwood. At Whitehead, 10 miles distant, the clerk takes on the mail from Newell, Bellefourche, and Whitehead, and all their "dis" offices. At Sturgis, 7 miles east of Whitehead, the mail from Fort Meade, Sturgis, and 14 "dis" offices awaits them. Between Sturgis and Rapid City, 30 miles distant, the clerk supplies three local offices and three "dis" offices. At Rapid City he pouches on and receives pouches from two connecting trains. All mail for eastern South Dakota, Minnesota, Michigan, North Dakota, Canada, Wisconsin, and northern Iowa should be dispatched via connecting trains at Rapid City, but the clerk is nearly always stuck into Rapid City, and much of the mail for the above-named States is seriously delayed.

In my opinion the conditions are such as to require the services of two regular clerks, or at least one clerk and helper on this run, and I would respectfully suggest that the matter be given as early attention as possible in order to relieve the very unsatisfactory condition referred to.

Very respectfully,

FRANK SMITH, Postmaster.

To the honorable SECOND ASSISTANT POSTMASTER GENERAL,
Division of Railway Adjustment, Washington, D. C.

WASTA, S. DAK., January 18, 1911.

Hon. CHAS. W. BURKE,
Washington, D. C.

DEAR SIR: I am writing you, Mr. BURKE, in regard to the delaying of mails on the Northwestern Railroad between Pierre and Rapid City, S. Dak., into this office and of the numerous complaints of the patrons of this office. The delays are a common occurrence and seem to come from insufficient help on the railway post office. It seems to me that there could be some steps taken to relieve the obstacle.

Hoping you can aid us in getting some action for better service, and hoping to hear from you in regard to this matter, I remain,

Very respectfully,

FRANK J. BURDETTE,
Postmaster, Wasta, S. Dak.

[Sioux Falls Argus-Leader, Jan. 20, 1911.]

SERVICE IN BAD SHAPE—RAILWAY MAIL SERVICE FROM BLACK HILLS POINTS TO THE EAST IS DEMORALIZED—CLERKS CAN NOT PROTEST OPENLY, BUT THEY ARE MAKING A QUIET CAMPAIGN FOR BETTER CONDITIONS.

DEADWOOD, January 20, 1911.

Demoralization of the Railway Mail Service from the Black Hills to eastern points is said to be imminent, and much dissatisfaction is expressed, not only by the mail clerks, but by people who fail to get their mail promptly.

While the mail clerks are prohibited by regulations from making open protests against what they consider unjust conditions, they are quietly making known their objections to the present post office régime under Postmaster General Hitchcock, and charge his policy of retrenchment with being responsible for the delayed mail.

Business men here are learning that mail both in and out of the Black Hills is in some instances being carried three or four days backward and forward before the clerks can get an opportunity to handle it, they claiming that their force is insufficient to handle the amount of mail deposited each day from the post offices along the route the trains travel.

They further charge that accident or sickness befalling any mail clerk results in throwing his work during his temporary absence on the shoulders of the other working clerks and still further delays in the mails.

The mail clerks on the Northwestern Line, particularly east of Rapid City, on the three divisions into Minnesota, are on the edge of revolt, and it is declared that some of them have tendered their resignations owing to what they allege are insufferable conditions.

The matter is now being taken up with the Congressmen, in the hope that they will be able to find a way out of the difficulty and prevail upon the Postmaster General to change his policy for the betterment of mail conditions for the public as well as for the mail clerks.

[Sioux Falls Press, Jan. 20, 1911.]

MUCH MAIL IS TIED UP—STRIKE OF MAIL CLERKS IN CENTRAL SOUTH DAKOTA GROWING SERIOUS—SUBSTITUTES NOT QUALIFIED—DO NOT KNOW GEOGRAPHY OF STATE—SOME REFUSE TO GO TO WORK.

HURON, January 19, 1911.

The strike of the railway mail clerks in this section of the State is assuming alarming proportions to-night. For the past few days the regular men have not been on duty, and the substitutes, brought in from the Central Western States, are wholly unfamiliar with the geography of the State, and as a result the delivery and transportation of mail is in a very bad condition.

In some instances men coming from Illinois and Wisconsin have refused to work upon learning the conditions and the reason that the regular men put forth for the strike.

There are 18 regular men on the line from Tracy to Pierre, and all but 7 of these are not on duty, and a similar condition prevails between Hayward and Oakes.

Numerous messages from business men and citizens, together with a petition bearing the signatures of scores of people, were wired to Senator CRAWFORD this afternoon, asking him to intercede for the reinstatement of the regular clerks at once. The message assured him that the strikers have the sympathy of the general public.

[Aberdeen (S. Dak.) News, Jan. 20, 1911.]

RAILWAY MAIL SERVICE.

The present attempt of the Post Office Department to effect a saving in operation by reducing the pay and increasing the hours of railway mail clerks does not meet with the approval of the public any more than it makes a hit with the Government employees directly concerned.

The public is concerned chiefly with the efficiency, or lack of efficiency, of the Railway Mail Service. It doesn't care so much about the expense of conducting the service if it is satisfactory—efficient.

The work of a railway mail clerk is strenuous. It requires good health, vigor, an active brain, a good memory, a quick eye and hand. Manifestly, a man who is kept at the sort of work required in the service longer than a reasonable number of hours is not in condition to do first-class work. Neither can he handle more than a certain number of pieces of mail in a given length of time however capable he may be.

Therefore, if the service is curtailed and two men are required to do three men's work, the business interests of the country, which are dependent to a large extent upon the efficiency of the postal service, is bound to suffer. What the public demands and will insist upon having is efficient service. It can not secure that with a lot of tired, over-worked men on the job. There must be enough men in the Railway Mail Service to do the work properly and promptly.

The News knows of instances where the men on one mail route were unable to handle the matter accumulating on their run, and were compelled to leave so much of it untouched that the man on the next run was occupied on his entire route in clearing up the left-over work, leaving his own mail entirely untouched. The department at Washington possibly was congratulating itself upon the economy it had effected, but the business men along the routes mentioned were put to untold inconvenience in order that the Government at Washington might be saved the wages of the extra men needed to handle the mail promptly.

There can be but little doubt that the railway mail clerks in South Dakota who are endeavoring to show the department the error of its way have a just grievance, a grievance which is shared by the commercial interests of the territory affected. The Post Office Department should come out of the dream of economy with which it is at present afflicted and strive for efficiency instead.

[Brookings (S. Dak.) Press, Jan. 19, 1911.]

MAY STOP WORK—UNCLE SAM FACING TROUBLE IN PART OF HIS MAIL SERVICE.

Of late, especially within the past few months, people have talked, and in some cases complained, of late delivery of mail matter of various descriptions, especially that below first class. Newspapers have come from half a day to a day late, and in various ways the people along the Northwestern line have come to the conclusion that the railroad mail service is not what it should be.

Friday at a meeting of 35 of the mail clerks running between Tracy and Pierre, Brookings and Pierre, and Pierre and Rapid City, the trouble came to a head, with the resignations of the men from Uncle Sam's service. This attitude was brought about in several ways. Of late years the work has increased by leaps and bounds as the country settled up, with no appreciable increase of men or accommodations to handle

the extra work. The trains carry the same amount of car space and the same number of clerks that they did when the country was new. Then, too, the retrenchment policy of the Post Office Department, while a fine thing from the standpoint of the taxpayer, saving millions of dollars a year, has tended to cut down rather than increase the force, making the clerks do more duty than formerly, until the point of physical impossibility has been reached.

Just what the post-office officials will do with the resignations is a question. It can not summarily dismiss the clerks and import a lot of "strike breakers" to take their places, for the law provides that a certain proportion of the men shall come from the territory affected by the service. To have substitutes take the place of the regulars would result in untold confusion until the new men caught the hang of the business. The clerks on their part can not leave their jobs without laying themselves liable to prosecution.

It is hoped that an amicable, just, and adequate settlement between the clerks and the Government may result from the difficulty and the settlement may make for greater efficiency of the service and satisfaction to the patrons.

[Minneapolis Journal, Jan. 20, 1911.]

LEGISLATORS CHEER CLERKS—LATER HOPE FOR MODIFICATION OF HITCHCOCK'S ECONOMY ORDER.

Railway mail clerks working out of Minneapolis were elated by the action taken yesterday by the State legislature in their behalf and hope that when the petition is presented to Congressman NYE and other northwestern Representatives in Washington that the pressure will be strong enough to cause a modification in the economy rules of Postmaster General Hitchcock.

The injustice of the rule that when a vacancy occurs in any particular run of the Railway Mail Service it shall be filled by regular clerks instead of by substitutes has been so apparent to the old-time clerks that they at first thought it would not be enforced; but the chief clerks have no way out of it, and for three months now Minneapolis railway mail clerks have been taking care of vacancies caused by resignations of clerks who had found the work and its restrictions more than they cared to endure longer.

A Minneapolis man who has been in the service for many years said to-day that he would not be surprised to see a serious break in the working forces unless the extra runs be given over to substitutes, as was formerly done.

[Sioux City (Iowa) Journal, Jan. 21, 1911.]

SITUATION AT PIERRE.

PIERRE, S. DAK., January 20, 1911.

While the mail-clerk situation to-day is quite serious, some signs of adjustment are shown. Several of the old clerks have been suspended and called upon to surrender their badges and keys, and substitutes have been acquired to do their work. It is necessary to go east of the Mississippi River, as the clerks at Aberdeen, Hawarden, and St. Paul refused to supplant the clerks who are refusing to do extra duty. But the indications now are that Congressmen over the Northwest are taking up the situation with the department, and an intimation has come to the clerks that if they will waive their rights in the interest of discipline of the service that their troubles will soon be remedied.

While this intimation has come to them, up to the present no definite action has been taken in the premises, and their position up to the present is that they will not concede anything unless the reinstatement of all the clerks suspended on account of the trouble is included in the question of adjustment.

MAIL CLERKS WON'T STRIKE AT PRESENT, BUT GENERAL WALKOUT IS PROMISED UNLESS DEPARTMENT SETTLES GRIEVANCES.

HURON, S. DAK., January 20, 1911.

In compliance with a request from Senator CRAWFORD, the railway mail clerks held a conference here and signified their willingness to return to work and perform the extra duty required pending the consideration of their grievances by the department at Washington.

This action will defer a general walkout by the railway mail clerks over the Northwest, but the leaders declare that unless their demands for extra pay for extra labor is granted a general strike will follow.

The only organization the clerks now have is of a social character, but steps are being taken to organize similar to other labor unions.

Senator CRAWFORD is assured by the department that the clerks will have a hearing at once.

MILWAUKEE TAKING NOTICE.

MILWAUKEE, January 20, 1911.

In conjunction with tentative action planned by Minneapolis and St. Paul railway mail clerks, the protest against the economic policies of Postmaster General Hitchcock in forcing longer hours and harder work upon that branch of Government employees has spread to Milwaukee.

One hundred clerks running on trains out of this city will meet within the next few days to take some action regarding existing conditions.

ABERDEEN MEN WON'T SUBSTITUTE.

ABERDEEN, S. DAK., January 20, 1911.

Members of the Aberdeen branch of the Railway Mail Clerks' Association to-day sent a telegram to Superintendent Perkins, of St. Paul, asking him to be considerate with them in their action in refusing to substitute for the strikers on the Tracy-Pierre run. He replied, asking them if they would sign the communication, which all the men present have done. No further orders to report to Tracy have been received.

WATERTOWN CLERKS IN LINE.

WATERTOWN, S. DAK., January 20, 1911.

All railway mail clerks running through Watertown are still on duty, but to the last man declare themselves ready to disobey if they are ordered out to work for any of the 35 South Dakota clerks now on strike against the department's ruling adding 50 per cent to their working hours without an increase in pay.

HITCHCOCK NOT ALARMED.

WASHINGTON, D. C., January 20, 1911.

Postmaster General Hitchcock is not worried over the trouble that has broken out on the railway mail route between Pierre, S. Dak., and

Tracy, Minn. He doubts whether the men will go on a general strike, as threatened, and even if they do Postmaster General Hitchcock says the Government will have no trouble in filling their places. The Postmaster General said that there are thousands of applications for appointment to the Railway Mail Service and that the eligible roster is a bulky one.

[Telegram.]

ST. PAUL, MINN., January 22, 1911.

Congressman MARTIN OF SOUTH DAKOTA.

Washington, D. C.:

In the interest of humanity can not something be done in the way of favorable legislation for the railway postal clerks? Clerks are organized, but do not wish to do anything rash. They demand a maximum law be passed for a day's work.

JOHN L. THORNTON,
Chairman Committee.

Mr. MARTIN of South Dakota. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. CRUMPACKER. Mr. Chairman, I want to suggest this objection to the amendment offered by the gentleman from Iowa. Its operation will affect certain local postal lines most harmfully. I have in mind a line running from La Fayette, Ind., to Chicago, a milk train for local accommodation. It takes the train 4 hours and 45 minutes to run from La Fayette to Chicago and 4 hours back, making 8 hours and 45 minutes each day. It is a very little run. There is only one mail clerk on the train, who runs every day in the week except Sundays. The effect of the proposed amendment would be, perhaps, to compel the discontinuation of that postal route altogether. It is quite important for the convenience of communities along the line, and the Government would either have to discontinue it or else put on another mail clerk if the amendment should be adopted.

The clerk making the run, to get the assignment, made the offer in writing that if he could be transferred to this route he would do all the business himself. His name is Cole. He has been on the route five or six years, and it is entirely satisfactory to him. His work is very light, and the route is of considerable advantage to the communities along that line. This amendment would destroy that route.

Mr. GOOD. Will the gentleman yield?

Mr. CRUMPACKER. Certainly.

Mr. GOOD. Would it not be possible for that route to be extended somewhat on another line?

Mr. CRUMPACKER. Oh, no; that is a milk train from La Fayette to Chicago.

Mr. GOOD. If it carries nothing but milk, I think it ought to be discontinued. [Laughter.]

Mr. CRUMPACKER. Oh, it is a passenger train besides, and carries the local mail and express, and so forth.

Mr. WEEKS. Mr. Chairman, I hope the members of the committee will use reasonable calmness and their usual good judgment in deciding this important matter. The amendment of the gentleman from Iowa would limit the employment of railway post-office clerks to six and one-half hours, and the time now is 6 hours and 33 minutes. I submitted some correspondence Saturday which has recently taken place between the Railway Post Office Association and the Post Office Department, in which I am informed the officers of the clerks' association agree that if the department carries out the provisions mentioned in that correspondence substantially every grievance will be remedied and given the attention which they desire.

I do not wish in any way to impose unusual hours or unusual obligations on any employee, nor do I wish either in this way or any other to cripple or hamper the department in its conduct of business. These men not only work six and one-half hours on the route, but they spend an hour and a half a day in studying schemes and getting ready for their work, which time is considered by the gentleman's amendment; so, in fact, they are not working 39 hours a week, but 48 hours a week. They are satisfied to do that provided their hours are not extended, and they are not required to do additional duty. I think that framing up a proposition of this sort where the service is as diversified as it is, where the routes must be arranged in order to satisfy local conditions, as well as through conditions, that to place a limit of time on these clerks is unwise and inadvisable. Furthermore, as my colleague from Wisconsin has called attention, you are limiting the time of the men who do the lightest work, the least efficient men, and practically putting it into the hands of the department to increase the time of the men who travel on the fast trains and perform the most important and trying service. I want to say from the standpoint of the clerk and from the standpoint of the department any limitation of hours, as provided for in this amendment, should not prevail.

Mr. GOOD. I suppose the chairman is aware that the computations made by the Second Assistant Postmaster General of six and a half hours does not include the extra time in the study of schemes and investigation.

Mr. WEEKS. I have stated that that is time used in the Government service, and if you place a time limit on the employment of 39 hours a week I am not sure but that you would have to cut down the actual time on trains to five hours a day.

Mr. GOOD. No other construction can be put on my amendment except time on the train.

Mr. WEEKS. I know the construction that can be put on language put in a bill in this manner when the matter has not been considered by the committee or by the department. It is this kind of action which breeds careless legislation. Mr. Chairman, I make the point of order.

The CHAIRMAN. Does the gentleman from Massachusetts wish to be heard on the point of order?

Mr. WEEKS. I make the point of order that this is new legislation—that there is nothing now in the regulations or in the law which gives the Post Office Department the power to limit the hours or restrict the hours of employment of clerks.

Mr. MARTIN of Colorado. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk again reported the amendment.

Mr. MARTIN of Colorado. Mr. Chairman, I would like to ask the gentleman from Massachusetts one question, and that is whether that amendment is not identical in principle with one that was adopted the other day.

The CHAIRMAN. The gentleman from Colorado is out of order. The time for debate is exhausted.

Mr. CRUMPACKER. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. CRUMPACKER. Mr. Chairman, the paragraph carries an appropriation for certain purposes to carry on this important branch of the public service. The proposed amendment in the form of a limitation provides that no part of the money so appropriated shall be expended in the payment of employees who work in excess of 39 hours a week, I believe. The law does not now limit specifically the hours that may be worked by a railway mail clerk. It seems to me that this proposed amendment is legislation in the form of a limitation. What construction would a court put upon the paragraph with the amendment attached, taken as a whole? The only interpretation that could be put upon it is that it is legislation limiting the number of hours that postal clerks could work during a specific period, a limitation that does not now exist. There is no other practical interpretation that could be put upon it. No court or administrative officer could arrive at any other conclusion than that it is the intention of Congress to so limit, and therefore it is legislation. It would not be construed as merely a limitation, rendering nugatory the provision if it should be violated, but it is a limitation in the form of affirmative legislation; and the Chair will bear in mind that in interpreting statutes each provision must be so construed in relation to other provisions as to make the entire paragraph effective and give legislative force and meaning to every provision. Therefore, it seems to me that the conclusion is forced that the purpose of this amendment is to limit the number of hours that the railway mail clerks may work within a given time.

I make no opposition to the policy of limiting the hours of postal clerks, if it could be so adjusted as to take care of certain small lines where the policy is impracticable, but this is a question of order, and it seems to me that this is a clear case of legislation in the guise of a limitation.

Mr. MARTIN of Colorado. Mr. Chairman—

The CHAIRMAN. Does the gentleman wish to be heard upon the point of order?

Mr. MARTIN of Colorado. Very briefly.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. MARTIN of Colorado. Mr. Chairman, I simply want to point out to the Chair the fact that action has already been taken by the House on an amendment to this bill establishing a precedent which is on all fours with the question now presented to the Chair. At the last hearing on this bill there was an amendment offered which reads as follows:

Provided, That no part of this appropriation shall be used to pay letter carriers who are required or permitted to work more than 48 hours in the six working-days of a week: *Provided further*, That this limitation shall not apply to service performed during the first five and the last 15 days of the calendar year.

The gentleman from Massachusetts [Mr. WEEKS] reserved the point of order to that amendment, which he did not press. I have not time now to run through the RECORD and find out where he withdrew the point of order. In any event, the gen-

tleman did withdraw it and permitted the amendment to come before the committee, and it was adopted. Now, I have not before me the exact language of the pending amendment, but I understand that it is a limitation upon the working hours of railway postal clerks identical with that which has already been incorporated in the bill upon the working hours of letter carriers.

Mr. COX of Indiana. In substance, it simply limits the number of hours to 156 hours in four weeks.

Mr. STAFFORD. I wish to say to the gentleman that the point of order was not raised in that case.

Mr. MARTIN of Colorado. Why are they raising it in this case, then? The cases are absolutely identical upon their merits.

Mr. COOPER of Wisconsin. It was raised and withdrawn in the other case.

Mr. STAFFORD. Mr. Chairman—

The CHAIRMAN. Does the gentleman wish to address himself to the point of order?

Mr. STAFFORD. I do.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. STAFFORD. Mr. Chairman, the amendment proposed in effect limits the number of hours that a railway mail clerk may be employed. There is no legislation limiting the hours of service of railway mail clerks. The effect of the amendment is to legislate in the form of a limitation as to the number of hours that these men can be employed. It is legislation under the guise of limitation.

Furthermore, the department to-day, under existing law, has the authority to employ these men for longer hours than are designated in the amendment. It is to that extent a limitation on the authority of executive officers to employ these men, and for that reason also it is objectionable as violative of the discretion that is lodged in the executive officers for the employment of these railway mail clerks.

The CHAIRMAN (Mr. TILSON). Can the gentleman cite the Chair to any limitation that might be put upon an appropriation which would not in some way restrict the action of an executive officer?

Mr. STAFFORD. Yes; but where the limitation is in effect an enactment of positive legislation limiting the hours of employment, in that case it is in effect legislation and not a limitation.

Mr. MARTIN of South Dakota. If the Chair is not ready to rule, I would like to be heard for a moment on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from South Dakota.

Mr. MARTIN of South Dakota. I think that this provision comes clearly under the well-known rule that while the House can not put on an appropriation an amendment changing existing law the House may or may not appropriate to carry out the purposes of the existing law, and the House may appropriate to cover a certain class of clerks already authorized by law and decline to appropriate for another class authorized by law. The principle is well stated in section 835 of the Compilation of the Rules.

It being established that the House under its rules may decline to appropriate for a purpose authorized by law, so it may by limitation prohibit the use of money for part of the purpose while appropriating for the remainder of it.

Now, the only effect of this limitation is to provide that no part of this money to be appropriated can be used for the payment of a certain class of clerks, to wit, clerks that may be required to work more than a certain number of hours. It definitely defines that may not be done by the appropriation, but goes no further. It does not affect the general law and could not be assigned as a precedent for any subsequent appropriation bill. It simply says by placing the limitation that money which might be authorized and appropriated for a particular class of clerks can not be used in that way and none is appropriated for that purpose.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Iowa [Mr. GOOD] offered an amendment in the form of a provision, as follows:

Provided, That no part thereof shall be expended in paying the salary of any railway postal clerk who is required to perform in excess of 156 hours of service in any four weeks.

To this amendment the gentleman from Massachusetts, chairman of the committee, makes the point of order. The Chair is not informed as to any provision of limitation whatever on the number of hours which a railway mail postal clerk is required by law to work. It is claimed that this amendment in fact makes a limitation of those hours by prescribing under what circumstances an employee may or may not be paid. The Chair is unable to conceive of any limitation scarcely which does not to some extent restrict an executive officer in the expenditure

of an appropriation, and this amendment does restrict the executive officer in making an expenditure, but it does not require the railway postal clerk to work this number of hours or a less or a greater number. It does not make any requirement upon the executive official except that he shall not expend any part of this appropriation in paying the salary of any railway postal clerk who shall work more than this number of hours. It is clear to the Chair that the amendment is only a limitation on an appropriation and not a change of existing law. Therefore the Chair overrules the point of order. The question is on agreeing to the amendment.

Mr. MARTIN of South Dakota. Mr. Chairman, I offer the following amendment to the amendment offered by the gentleman from Iowa.

The CHAIRMAN. The gentleman from South Dakota offers an amendment to the amendment, which the Clerk will report. The Clerk read as follows:

Add to the amendment, "unless such clerks shall be paid additional compensation for the services performed in excess of the said period."

Mr. WEEKS. I reserve a point of order on that, Mr. Chairman.

Mr. MARTIN of South Dakota. Upon that point, if the Chair desires—

The CHAIRMAN. The Chair will hear the gentleman from South Dakota on the point of order.

Mr. MARTIN of South Dakota. Mr. Chairman, I think there is a plain precedent for this proposed amendment, and that it is in order.

The proposition of the gentleman from Iowa [Mr. Goon] prohibits, in effect, the use of any portion of this appropriation to pay the salary of clerks who may be compelled to work beyond six and one-half hours a day. The proposition I sent up by amendment further defines and limits that by adding, unless such clerk be paid additional compensation for the service beyond the time specified in the amendment of the gentleman from Iowa—

Mr. MANN. Will the gentleman yield for a question?

Mr. MARTIN of South Dakota. Certainly.

Mr. MANN. Is there any authority now for the Postmaster General to pay for overtime to railway mail clerks?

Mr. MARTIN of South Dakota. I do not think there is any law upon the subject one way or the other.

Mr. MANN. Then the Postmaster General could not pay for overtime.

Mr. MARTIN of South Dakota. There is no such thing recognized in that law as undertime or overtime, but the clerks are simply paid for their service, be it long or short.

Mr. MANN. Then there is no law for it.

Mr. MARTIN of South Dakota. There is just as much law for paying overtime as paying undertime, as I understand it. There is no law fixing the time they must work.

Mr. MANN. It fixes the salary for the year. Whatever time they work within the year is fixed. Would not the gentleman's amendment be construed to allow the Postmaster General to pay overtime, and is not that the purpose of it?

Mr. MARTIN of South Dakota. My amendment would be construed properly to not permit any portion of the fund here appropriated for the payment of postal clerks to be paid to men who are compelled to work more than six and one-half hours a day on the average, unless they should be paid for such work—

Mr. MANN. But they could not be paid for such work unless the gentleman's amendment would say it.

Mr. MARTIN of South Dakota. They could be paid without this amendment. This amendment proposes to see that they are paid for such work.

Mr. MANN. Under what authority of law can they pay for overtime now?

Mr. MARTIN of South Dakota. Under the general authority that permits the Postmaster General to pay for the time of the men in the employ of the service.

Mr. MANN. That fixes the salaries of the railway mail clerks.

Mr. MARTIN of South Dakota. You do not fix the hours of service.

Mr. MANN. We fix the salaries by the year.

Mr. STAFFORD. Will the gentleman yield?

Mr. MARTIN of South Dakota. I yield to the gentleman from Wisconsin.

Mr. STAFFORD. Is the gentleman acquainted with that provision of law found in the act of July 31, 1882, which regulates the salaries of these railway mail clerks, and which absolutely forbids the Postmaster General from paying any higher salaries than the maximum fixed by the act referred to, of the class to which the clerk belongs?

Mr. MARTIN of South Dakota. I would like to ask the gentleman from Wisconsin what bearing that has on the proposi-

tion. Here is a question simply of how many hours of work shall be required.

Mr. STAFFORD. Here is a mandatory statute which forbids the Postmaster General from paying a salary in excess of that which is the maximum, and the effect of his amendment is to pay more than the maximum salary carried by the statute.

Mr. MARTIN of South Dakota. Not at all. I think, in principle, Mr. Chairman, this question is plainly covered by a precedent which I will call to the attention of the Chair, which is found in the fourth volume of Hinds' Precedents, section 3917, page 617. The principle is simply this: The limitation proposed by the amendment of the gentleman from Iowa [Mr. Goon] has already been held by the Chair to be a limitation properly offered under the rules. The amendment which I offered to that amendment is simply in further perfection of the proposition of the gentleman from Iowa, and defining an exception when the payment of such clerk may be made, to wit, provided that he be paid for the additional time beyond the period; and I call the Chair's attention to this precedent:

On January 20, 1906, the urgent deficiency appropriation bill was under consideration in Committee of the Whole House on the state of the Union, when the Clerk read this paragraph:

"To enable the President to meet unforeseen emergencies arising in the diplomatic and consular service, and to extend the commercial and other interests of the United States, to be expended pursuant to the requirement of section 291 of the Revised Statutes, \$50,000, or so much thereof as may be necessary, no part of which sum shall be disbursed for services rendered or expenses incurred within the District of Columbia."

There the limitation proposed was that no part of the \$50,000 for diplomatic uses could be used within the District of Columbia.

An amendment was proposed to this, "except for the entertainment of foreign dignitaries." The gentleman from Illinois [Mr. MANN], with his usual clearness and ability when he is asserting himself in favor of a proposition, called the Chair's attention to this as being the status of the case.

Mr. MANN. I wish to call the attention of the Chair to the fact that the provision already in the bill is a limitation upon the appropriation, and this is merely excepted from the limitation, and clearly is not subject to the point of order.

Mr. JAMES S. SHERMAN, present Vice President of the United States, was in the chair, and said:

The gentleman from Illinois is correct. This is a limitation upon an appropriation which the amendment attempts to perfect. The Chair overrules the point of order.

Now, by analogy apply that ruling to this situation: There was an appropriation of \$50,000, which was to be used in the Diplomatic Service. The limitation proposed was that "no part of it shall be disbursed for services rendered or expenses incurred within the District of Columbia," to which an amendment was offered "except in certain cases."

Precisely analogous in principle and effect to the proposition made here. We are proposing to appropriate \$20,000,000 for the Railway Mail Service. The proposition has been held to be in order by way of an amendment that no part of that amount shall be disbursed for the payment of clerks for working more than a certain number of hours.

Mr. CRUMPACKER. Will the gentleman allow me to ask him a question?

Mr. MARTIN of South Dakota. Certainly.

Mr. CRUMPACKER. The precedent cited by the gentleman provided an exception, that a portion of the appropriation might be used for certain kinds of entertainment. Let me ask the gentleman if the law did not already authorize the use of funds of that kind for the entertainment of foreign diplomats and dignitaries.

Mr. MARTIN of South Dakota. There is no suggestion of that sort in the debate nor in the decision; and I apprehend that there was no such law.

Mr. CRUMPACKER. I had the impression there was a law authorizing the use of funds for that purpose; but here there is no law authorizing the use of funds for extra pay.

Mr. MARTIN of South Dakota. Now, here is another analogous case at the bottom of page 619:

On January 21, 1905, the Indian appropriation bill was under consideration in Committee of the Whole House on the state of the Union, a paragraph relating to schools being under consideration.

The gentleman from New York [Mr. FITZGERALD] proposed this amendment:

Provided, That no part of the moneys hereby appropriated shall be expended for the transportation of any pupil or pupils to any Indian school located without the boundaries of the reservation wherein such child resides without the consent of the parents or guardians of such child or children being first had in writing.

The words "without the consent of the parents or guardians" did not destroy the status of the preceding language as a limitation. It still remained a limitation upon the appropriation, and nothing else. So I claim in this case. The effect of the

amendment of the gentleman from Iowa was simply to prohibit the disbursement of any portion of this fund to pay certain clerks for work in the mail service who worked more than six and one-half hours per day on an average. The proposition which we propose is simply an additional limitation upon that fund and upon its use, and would make the limitation only to affect that class of clerks who are required to work more hours than named in the amendment and without compensation therefor. Now, there is just as much law for the Postmaster General to pay a clerk for 15 hours' work as for six and one-half hours' work; and if we are authorized under our rules to provide that a clerk can be paid out of this fund, and provide that he may not work over six and one-half hours, we may provide an exception that if he works 10 hours and is paid for 10 hours he may be paid for the entire service. That is all this amounts to.

Mr. MANN. Mr. Chairman, the amendment offered by the gentleman from South Dakota is susceptible of the construction which he places upon it, but in his own mind he does not place the same interpretation upon the amendment in its final effect as he does in his argument upon the point of order. If his statement is that this is only an exception, it is entirely unnecessary. The Postmaster General is now authorized to make no payment for overtime to railway mail clerks. The law fixes the salaries of railway mail clerks by the year. The Postmaster General can not exceed the maximum fixed by the law for the salaries of railway mail clerks. No question of overtime is involved in that at all. All of the time which they give is the time of the Government under the salary fixed by law. Now we propose a limitation that they shall not be paid if they work over 156 hours in four weeks. That is a limitation. It is in order, and we might except from that limitation those who were paid overtime, and that would be a proper exception if that was the meaning of the amendment. But to give that meaning to the amendment means to give no meaning to it, because the Postmaster General can not pay overtime and the amendment would relate to no class of persons whatever; and it is not to be supposed that Congress will add a provision to a bill which means nothing, which adds nothing to the context; and it is the duty of the officers construing the law to construe it in such a way as to give some effect to every provision of the statute. Now, what effect will the officer be compelled to give to that amendment if he gives it any effect? He will be compelled to give it the effect that authorizes the Postmaster General to pay overtime. If they say it is only an exception, it means nothing; but if they say that it authorizes the Postmaster General to pay overtime, that gives a particular effect to the meaning of the amendment, and that meaning renders it subject to the point of order, and the Postmaster General will either have to say when he construes the amendment that Congress acted like a pack of ninnyes, adding something that means nothing, or else that they added something which the chairman must see is subject to a point of order.

The CHAIRMAN. The Chair is ready to rule. To the amendment offered by the gentleman from Iowa [Mr. GOOD] the gentleman from South Dakota [Mr. MARTIN] offers the following amendment:

Unless such clerk shall be paid additional compensation for the service performed in excess of said period.

It is claimed by the gentleman from South Dakota, in opposition to the point of order, that the amendment offered by him only creates an exception, and he cites two other cases in which exceptions were made.

The Chair has examined both those exceptions, and is of the opinion that they are not analogous to the present case, because this exception brings the amendment into direct conflict with the law itself.

Paragraph 2 of Rule XXI, with which we are all familiar, closes with these words:

Nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

Section 1402 of the Postal Laws and Regulations is the section providing for railway postal clerks and giving the salaries which they shall be paid. To that is added a provision stating specifically that—

the Postmaster General, in fixing the salaries of clerks in the different classes, may fix different salaries for clerks of the same class, according to the amount of work done and the responsibility incurred by each, but shall not, in any case, allow a higher salary to any clerk of any class than the maximum fixed by this act for the class to which such clerk belongs—

The salaries for the different classes of clerks being specifically fixed by the statute itself. The amendment offered by the gentleman from South Dakota, while in the form of an exception, means, if it means anything at all, that these clerks in case they shall work more than the number of hours specified shall receive additional compensation; and if it provides for additional compensation, then it is in direct conflict with section

1402 of the Postal Laws and Regulations, and consequently in violation of paragraph 2 of Rule XXI, which forbids an amendment changing existing law. The Chair therefore sustains the point of order.

Mr. MARTIN of South Dakota. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Add to the amendment of the gentleman from Iowa the following:

"Unless such clerk shall be paid additional compensation for services performed in excess of said period, which shall in no case with his regular salary exceed the maximum compensation provided for clerks in the class in which he is employed."

Mr. WEEKS. Mr. Chairman, to that I make a point of order.

Mr. MANN. Mr. Chairman, that is subject to the same reasoning as to the point of order. The provision in the statute is that the Postmaster General shall fix the salary within the maximum. This undertakes to control that discretion directly.

Mr. MARTIN of South Dakota. Mr. Chairman, it seems to me that the amendment now offered comes within the ruling of the Chair and is not subject to the objection made by the gentleman from Illinois. In the other amendment it was construed to be an increase of salary of the clerks in the various classes. It is understood that clerks in each class have a maximum compensation fixed in the appropriation bill, but many clerks may be working for less than the maximum. This would permit the operation of the amendment in the manner provided by law.

The CHAIRMAN. As the Chair understands, a railway postal clerk is assigned to one or the other of the classes provided for by law, and his compensation within that class is fixed. It seems to the Chair that this amendment simply attempts to do by circumlocution what the other amendment offered by the gentleman does directly—that is, attempts to increase the compensation of the railway postal clerk who works more than the required period. If it does not accomplish this, it does nothing at all. Therefore the Chair sustains the point of order. The question now recurs upon the amendment offered by the gentleman from Iowa [Mr. GOOD].

Mr. WEEKS. Mr. Chairman, I ask unanimous consent that the amendment may be again reported.

The CHAIRMAN. Without objection, the amendment will be again reported.

The Clerk read as follows:

Insert after the word "dollars," line 11, page 2, the following: "Provided, That no part thereof shall be expended in paying the salary of any railway postal clerk who is required to perform in excess of 156 hours' service in any four weeks."

The question was taken; and on a division (demanded by Mr. GOOD) there were—ayes 38, noes 46.

Mr. GOOD. Mr. Chairman, I demand tellers.

The CHAIRMAN. Tellers are demanded.

The question of ordering tellers was taken.

The CHAIRMAN. Sixteen gentlemen have arisen, not a sufficient number.

Mr. COX of Indiana. I make the point that no quorum is present.

The CHAIRMAN. The gentleman from Indiana makes the point of no quorum. The Chair will count. [After counting.] One hundred and twenty-two Members present—a quorum. The noes have it, and the amendment is lost.

Mr. HAWLEY. Mr. Chairman, it seems to me that there are other amendments pending.

The CHAIRMAN. The gentleman from Oregon submitted an amendment, which was read for information on Saturday. Does the gentleman now wish to submit his amendment?

Mr. HAWLEY. I do.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the word "dollars," page 32, line 11, insert the following: "Provided, The Postmaster General in all cases where the mails reach their destination unworked, or the clerks in mailing and sorting are required to work overtime, shall cause such additional clerks to be assigned as may be necessary."

Mr. WEEKS. To that I make a point of order.

The CHAIRMAN. Does the gentleman from Oregon desire to be heard?

Mr. HAWLEY. Mr. Chairman, the Congress established the postal service and reserved a monopoly on it to the Government in order that the mails might be speedily and safely collected, transported, and delivered. From the debate on Saturday and to-day it appears that there are material delays in the delivery of mails by reason of their arriving at destinations unworked in many localities. This further appears to be due to too few clerks on many runs. This amendment indicates the desire of Congress that such clerical assistance be employed as will enable the mails to be regularly distributed on time and without working the clerks overtime.

The CHAIRMAN (Mr. STEVENS of Minnesota). In the opinion of the Chair, the amendment changes existing law and is therefore subject to the point of order. The point of order is sustained.

Mr. MARTIN of South Dakota. Mr. Chairman, I have an amendment pending, but it has been practically covered in a different form and has been passed upon. I will therefore withdraw it.

The CHAIRMAN. The gentleman from South Dakota withdraws his amendment, and the Clerk will read.

The Clerk read as follows:

That hereafter in addition to the salaries by law provided the Postmaster General is hereby authorized to make travel allowances, not exceeding in the aggregate the sum annually appropriated, to railway postal clerks assigned to duty in railway post-office cars for expenses incurred by them while on duty, after 12 hours from the time of beginning their initial run, under such regulations as he may prescribe, and in no case shall such allowance exceed 75 cents per day.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph.

Mr. CRUMPACKER. Mr. Chairman, I rose to propose an amendment, but I suppose it is not in order till the point of order is disposed of.

Mr. MANN. What amendment does the gentleman propose?

Mr. STAFFORD. Let us have the amendment offered for the information of the committee.

The CHAIRMAN. Will the gentleman indicate his amendment, for the information of the committee?

Mr. CRUMPACKER. Mr. Chairman, I will indicate the amendment I desire to make and would make now if I were permitted to do so. In line 19 of page 22, after the word "duty," I would strike out all of the balance of the line and the words "initial run" in line 20. The language that I desire to strike out is—

After 12 hours from the time of beginning their initial run.

I would like to submit some reasons for it when it is proper to do so.

The CHAIRMAN. The Clerk will report the amendment, if there is no objection, for the information of the committee.

The Clerk read as follows:

Page 22, lines 19 and 20, strike out the words "after 12 hours from the time of beginning their initial run."

The CHAIRMAN. Does the gentleman from Illinois wish to be heard on the point of order?

Mr. MANN. Why, I do not think I do.

Mr. CRUMPACKER. Does the gentleman insist upon his point of order?

Mr. MANN. If anybody else desires to be heard on the point of order, I am willing to let them speak first.

Mr. CRUMPACKER. I understand, Mr. Chairman, that the gentleman reserves the point of order.

Mr. MANN. I am willing to reserve the point of order. There are so many amendments to be proposed to this paragraph that I want to find out what they are.

Mr. CRUMPACKER. Mr. Chairman, what I desire to accomplish by the amendment that I shall propose is a sort of equalization of the distribution of the subsistence fund. The language that I object to in the bill has been construed by the department in such a manner as to defeat in a large measure the purpose of Congress in making the appropriation. I have in mind, particularly, the run on the 18-hour limited train from Chicago to Pittsburg, Pa. There are four railway mail clerks on that line who by authority of the Postmaster General begin their runs at Chicago and end them at Chicago, but the department has issued an order that the initial run shall begin at Pittsburg, so that these clerks who, operating under official authority, begin and end their runs at the city of Chicago get no credit at all in the way of time for the run to the city of Pittsburg, the initial, and no credit for their final run back to Chicago. So when they begin their week's work they run from Chicago to Pittsburg and get no credit for that, and then they run back to Chicago and get no credit for the first 12 hours, and while they are in Pittsburg waiting between runs they get no credit. Therefore, for that class of railway mail clerks particularly, it takes from them more than one-half of their equitable share of the subsistence fund.

I have statements from two of those railway mail clerks showing that the total allowance they received under the subsistence fund appropriation during the quarter ending the 30th day of September last, I believe, was in one case \$2.20 and in another \$2.40. I understand the allowance under the appropriation was made at 6 cents a meal and about 7 cents for a bed. I think that the clerks ought to be allowed subsistence from the time they begin work, whatever their share of the allowance may be, if it is not more than 2½ cents a meal, because that is the only way that equality can be established in distributing the fund

among the railway mail clerks. Of course the appropriation has been up to date much below the maximum. Upon the basis I suggest there could be no wrong to any person in any event, and it would seem to me that in a case like the one I have mentioned the initial run for those four railway mail clerks should be from the city of Chicago.

It is altogether likely that these clerks arranged with each other and with the department to begin and end their runs at the city of Chicago, but that arrangement was officially approved and for their purpose Chicago is the initial point; but a general order has been made that Pittsburg shall be the initial terminal, and they receive, I repeat, no credit for working from Chicago to Pittsburg on the first run nor when returning from Pittsburg to Chicago on the final run, and no credit for time spent in Pittsburg between runs.

So that more than one-half of the time they are out on duty is taken up by the 12-hour subtraction for the initial run and the subtraction for the sojourn in the city of Pittsburg, the initial point between runs. I do not see why it would not be equitable for all to dispense with the 12-hour subtraction altogether, because then the fund would be distributed equitably according to the time the clerks were out; and if it did not pay 6 cents a meal, it could pay 5, and not 5 and 10 to some and 15 to others.

Mr. LLOYD. The purpose of this 12-hour provision is to provide for those clerks out for a single meal, and there is no reason, it seems to me, why you should pay for the railway mail clerk who is out for a single meal in preference to a city letter carrier or city clerk or any other employee who may be away for a single meal.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent that he may proceed for five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CRUMPACKER. The policy is to provide, in a measure, for the subsistence of railway mail clerks, and it does not apply to city carriers or city clerks.

Mr. LLOYD. This particular provision for 12 hours is intended to reach that class of clerks who are only away from home for a part of a day. There are a number of such clerks in the service who leave their homes in the morning and come back in the evening.

Mr. CRUMPACKER. In the Railway Mail Service?

Mr. LLOYD. Yes. If that is true they should not have meals paid for any more than a city clerk or a carrier, because the city clerk is away from his home at mealtime and the city carrier is away from his home at mealtime.

Mr. CRUMPACKER. That may be true.

Mr. LLOYD. The only thing that works any hardship in connection with the 12-hour proposition may be that 12 hours is a little too long. I am inclined to believe it ought to be eight hours instead of 12.

Mr. CRUMPACKER. Allow me to say to the gentleman in response to his first criticism or statement that Congress is providing this subsistence simply to the Railway Mail Service, and if a railway mail clerk is out in the line of duty over one meal hour, according to all the principles of fairness and justice he is as much entitled to his share of the subsistence fund as if he had to purchase two or three or four meals. I can not see any difference in principle, because he has only to pay for one meal out of his pocket. It is not a sufficient reason why he should not have anything, whereas if he had to pay for two meals at a hotel he should have compensation.

Mr. LLOYD. There is a very great difference between a railway mail employee who is permitted to be at home every night with his family, every evening and every day, and a man who has to be sent away for two days or three days at a time.

Mr. CRUMPACKER. That is provided for in the different measure of compensation. The man who is out for only one meal a day ought to get compensation accordingly. The railway mail clerk who is out for three meals a day and nights gets compensation for each meal he has to buy and for each night he passes in a boarding house or hotel, so there is nothing in the gentleman's argument bearing upon the principle involved.

Mr. LLOYD. As a matter of fact, why should you pay the railway mail clerk, who is away from his home only eight hours in a day, for the meals he may have paid for in the interim any more than pay a mail carrier in a city or a mail clerk in a city?

Mr. CRUMPACKER. That question is not a current one now. Congress has already taken this position on the proposition, and what we want to do now is to amend the law so as to bring about equality. It seems to me the distribution has not been properly made.

Mr. LLOYD. If the policy is established—that is, the policy that a man must be away from home 12 hours before he receives any of the benefits of the provisions of this law—

Mr. CRUMPACKER. Assuredly.

Mr. LLOYD. Now, what you seek to do is to change the policy?

Mr. CRUMPACKER. That is exactly what I want in order to bring about equality, as far as possible, and it will not increase the appropriation. It will not increase the fund, but the thing I complain about more particularly is the fact that the department, or the ruling of the department, after officially approving and permitting four clerks, in the instance I have in mind, to begin and end their runs in Chicago, allows them nothing on their first run to Pittsburg and nothing on the run back. I object to the regulation fixing Pittsburg as the initial point for those clerks and subtracting 12 hours from the first run from Pittsburg and subtracting all the time they lay off at Pittsburg. It reduces their allowance on that, one of the heaviest and most important runs in the country, to a mere trifle of \$2.20 for three months' subsistence. My proposition was to strike out the whole provision respecting the subtraction of 12 hours from the initial run. I have been able to present my objections to the House.

Mr. LLOYD. The gentleman forgets that this bill provides that they shall have greater pay than the 25 cents per day as provided in the last bill.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. CRUMPACKER] has expired.

Mr. WEEKS. Mr. Chairman, I would like to say a word on the merits of this proposition before any action is taken.

The appropriation for this purpose was inserted in the bill last year for the first time. For many years, I think, many Members of Congress have believed that some provision should be made for the subsistence of these clerks when away from home. Last year we inserted an experimental provision appropriating \$250,000 for that purpose. This year we have recommended \$769,000, or an increase of \$519,000 over last year. We did insert last year, and have included in the paragraph this year, a provision limiting the time when this appropriation shall commence to take effect to 12 hours after the man leaves his home. Now, I am not quite sure that that is absolutely just in every respect; but I want to say to the members of the committee that this is a question that may lead us into a very large expenditure unless we are sure of our ground before we make changes. If we are going to pay any class of Government employees for their midday meal, we ought to pay it to every one of them. And that changes the whole practice in civil life as well as among Government employees. Clerks and all other employees in civil life, letter carriers and other employees in the Government service provide their midday meal, and this 12 hours was intended, and is intended now, to prevent any subsistence being paid to the man who gets his morning meal at home and who returns to his home for his evening meal and sleeps at home at night. That man, in my judgment, has no more claim on any part of this subsistence than has any other Government employee who is following the same practice.

Mr. NORRIS. Will the gentleman yield?

Mr. WEEKS. Yes.

Mr. NORRIS. Have we not already in this bill provided, or if not in this bill is it not a rule of the department, under some law, that the inspectors to whom we pay travel allowances must be away only six hours until the rule or the law commences to operate?

Mr. WEEKS. The practice is that, if they are away; there is no law—

Mr. NORRIS. It is a rule, is it?

Mr. WEEKS. It is a rule. The practice is that if they are away about six hours—

Mr. NORRIS. If there was a reason for that rule it seems to me, in analogy, we ought to fix the same time as to this other class of employees.

Mr. WEEKS. I do not think myself there is good reason for that rule. I think it is an imposition on the Government.

Mr. NORRIS. Then we ought to change the rule by law.

Mr. WEEKS. We have changed it in some respects this year. We have reduced the per diem from \$4 to \$3.

Mr. NORRIS. I understand that we have reduced it, and it takes effect after six hours' absence.

Mr. WEEKS. I have stated to Members on the floor and to the committee that I am in favor of paying the actual expenses of inspectors, which would obviate the objection which the gentleman raises. I do not think six hours is a suitable time to call a day during which a man shall draw his per diem, but that has been the practice of the department.

Mr. BORLAND. Will the gentleman permit a question on that?

Mr. WEEKS. And I ought to add, as far as this Railway Post Office Service is concerned, that years ago, when the salaries were increased to \$1,300, \$1,400, \$1,500, and \$1,600 a year, it was intended that those salaries should go to the men who were away from home much of their time and who performed the most important service—that is, on the railway post-office cars.

Mr. BORLAND. Will the gentleman permit a question—

Mr. WEEKS. Yes.

Mr. BORLAND (continuing). On that limitation of time that a man must be away from home? The theory of the chairman, as I understand it, is that he is undertaking to equalize the railway mail clerks with city clerks and other civil employees by providing expenses when they are away from home beyond the time that the ordinary civil employee would be away from home.

Mr. WEEKS. Yes.

Mr. BORLAND. Would not the basis of eight hours from the time of beginning the initial run be about fair?

Mr. WEEKS. Well, I am not sure about that. I am not in favor of making any change in this provision as it stands at this time. We are now making this permanent law.

If there are any inequalities that develop in the future which make it necessary to change the law, that will be the time to make the change, after the inequalities have fully developed. I presume there may be inequalities in a case like the instance cited by the gentleman from Indiana; but I think in that case the men ought to change their residence, in which case they would not lose so much time. If this does produce some slight inequality, the experiment ought to be worked out along these lines rather than make any change on the floor.

Mr. BORLAND. Of course it is impossible to make any general rule that would not produce some inequalities. Would not an eight-hour basis be better than a 12-hour basis?

Mr. WEEKS. I prefer to leave it as it is.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois on the point of order.

Mr. MANN. Mr. Chairman, I am in hearty sympathy with the purpose of this proposition. I think, however, the amount allowed the party is not quite large enough. I think very likely the statement of the gentleman from Indiana on his amendment was of sufficient importance to have the amendment prevail. Because of this fact, because I am satisfied that if this goes out of this bill at this time it will appear in the bill in better form—and I hope for a larger amount—I make the point of order.

The CHAIRMAN. The gentleman from Illinois makes the point of order. The Chair sustains the point of order.

Mr. FINLEY. Mr. Chairman, I offer the following amendment, to take the place of the paragraph stricken out.

The Clerk read as follows:

Insert after line 13, page 22:

"That hereafter in addition to the salaries by law provided for railway postal clerks and rural letter carriers the Postmaster General is hereby authorized to make travel allowances, not exceeding in the aggregate the sums annually appropriated for said purposes; to railway postal clerks assigned to duty in railway post-office cars for expenses incurred by them while on duty, after 12 hours from the time of beginning their initial run, under such regulations as he may prescribe, and in no case shall such an allowance exceed \$1 per day; and to the rural letter carriers for expenses incurred by them for providing horse, wagon, or other equipment on standard routes where the salary is \$900 per annum, the sum of 50 cents per day for each day of actual service, payable monthly, under such regulations as the Postmaster General may prescribe, on rural routes less than 24 miles in length a proportionate sum, the exact amount for each carrier to be determined by the Postmaster General on the basis of comparative length of route."

Mr. MANN. I make the point of order.

Mr. WEEKS. I reserve the point of order.

Mr. MANN. I make the point of order on the amendment.

Mr. SIMS. Will not the gentleman from Illinois reserve the point of order? I am interested in the rural-delivery part of it. Will you not withhold the point of order on that part of it?

Mr. MANN. Well, it is now a quarter to 5 o'clock.

Mr. SIMS. I know it is. We have taken all the day on the railway mail clerks and their pay. I ask the gentleman from Illinois to withhold it.

Mr. MANN. Does the gentleman desire to address the committee on it?

The CHAIRMAN. Does the Chair understand the gentleman from Illinois to make the point of order?

Mr. MANN. If the gentleman is particularly anxious, either one of them, to discuss the amendment, I shall be very glad to reserve the point of order for a few minutes; but we have made no progress on this bill for two days.

Mr. SIMS. You have taken two hours on the other side today.

Mr. MANN. And I have taken up but very little of the time.

Mr. SIMS. I have not taken up any of the time, and would be glad to have a little time on this.

Mr. MANN. I reserve the point of order for the present.

Mr. FINLEY. Mr. Chairman, there is no question about this being new legislation, but Congress last year adopted the policy of making an allowance to railway postal clerks when they had been away from home more than 12 hours. That was temporary law. It was not made permanent law. The effort has been made this year to make it permanent law, but that provision has gone out of the bill on a point of order. Now, my view is that under circumstances that have been recognized by Congress a fair allowance should be made for railway mail clerks, and there is no question that considering the cost of living, the cost of equipment, and prices generally, the rural carriers in this country are not getting enough money for their services. In other words, they are in the employ of the Government, and many of them are unable to make tongue and buckle meet; so that my purpose here is to make an allowance that will be fair, 50 cents a day when they are actually employed, and to give to them some additional measure of compensation. Whether this is the correct sum to give them I do not know. It is, according to my view. I am only one Member of the House, but I believe this would equalize the pay that the Government gives to them, and that we would have fewer resignations and a better service. It has got to come some time.

The CHAIRMAN. The Chair is prepared to rule.

Mr. SIMS. I would like to say a few words on this matter.

The CHAIRMAN. The Chair is prepared to rule.

Mr. SIMS. I know that, but the gentleman from Illinois withheld his point of order so that we might have something to say about it.

The CHAIRMAN. The Chair did not so understand.

Mr. SIMS. I so understood it.

Mr. MANN. I will reserve the point of order while the gentleman speaks.

Mr. WEEKS. I suppose this debate is continuing by unanimous consent. I do not wish to cut off the gentleman from Tennessee, but I would like to call his attention to the fact that the question of Rural Delivery Service is further along in the bill, and there will be an opportunity to discuss that when we reach it.

Mr. SIMS. I wish to speak for five minutes.

Mr. WEEKS. We have spent a whole day and have not read half a page of the bill.

Mr. SIMS. I have not opened my mouth on this bill before, from beginning to end.

The CHAIRMAN. The gentleman from Tennessee [Mr. Sims] asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. SIMS. Mr. Chairman, there is no question but that the compensation of rural carriers should be increased. The question of railway mail clerks has been fully thrashed out, and two days' time has been given to that subject, but we are confined to five minutes on this amendment. There is no question but that it is subject to a point of order, but what are points of order? They do not assert themselves. They do not rise up here to butt into this thing. They are loaded guns, but they will not fire themselves. Somebody has got to take them up and fire them. Well, the committee, after hearings and full consideration, brought in an allowance for railway mail clerks, but brought nothing in for rural carriers. Now, I admit that the rules are in the way of justice, but which is the higher consideration, justice or the rules? [Applause.] We have overridden the rules here frequently for the purpose of doing justice. [Applause.] We can do it again. When a man thinks more of a technical rule than he does of honesty and justice, let the rules go to thunder. [Applause and laughter.]

Let us be right though the heavens fall, and though the Democratic and Republican Parties go down with them. Now, I admit the Chairman will have to sustain the point of order, following the precedents. He did not make the rules. He is like a court. He has to enforce this rule when it is invoked, and it has been invoked by the gentleman from Illinois [Mr. MANN]. It is a Mann rule that we are overruling, because he makes it his by invoking it. It will not operate without help, and I am in favor of overruling the Chair, not because he is technically wrong, but because the gentleman from Illinois makes it imperative upon the Chairman to shut out justice, to keep the rural carriers of this country from getting what they are justly entitled to. Let the House say whether these carriers ought to have this or not, instead of anyone getting up here and putting into execution the power of these wicked

rules, which of themselves will do no harm if you will only let these sleeping lions remain undisturbed.

There is no use talking about this rule. The point of order is properly taken, but the result that follows its execution is not worthy of this House. When we increased our salary from \$5,000 to \$7,500 it was subject to a point of order. That was legislation upon an appropriation bill, but no man in this House made it. Now, when it comes to giving half a dollar a day increase to the poor rural mail carriers a point of order is made and an unwilling Chairman is forced to sustain it, and as a result justice is denied to the most deserving class of employees in the service of the Government in the United States. I hope the gentleman from Illinois agrees with me that this is not a case in which an individual should deny this House an opportunity to vote. Let the people who pay the taxes fire the loaded gun if they want it fired. Let the representatives of the people, each and every one, vote for himself, and do not invoke any ironclad rule that will prevent us expressing our solemn judgment on our responsibility as Representatives in this House. I hope the gentleman from Illinois will withdraw his point of order.

Mr. MANN. Mr. Chairman, it will probably be news to the gentleman from Tennessee that the rural carrier system is not under the Second Assistant Postmaster General. The item is offered under the head of Railway Mail Service, under another head of the Second Assistant Postmaster General. I presume in the next House of Representatives we will have amendments offered under the Second Assistant Postmaster General that relate to the Fourth Assistant, and amendments offered under the head of the First Assistant that relate to the Postmaster General, and amendments offered under the head of the Third Assistant that relate to the First Assistant. And still I think they will find it very confusing. Now, I suggest that gentlemen learn where to offer amendments in this bill, because they will soon have the responsibility of making up the bill themselves, and they ought to begin to study the postal appropriation bill.

Mr. FINLEY. The gentleman from Illinois knows that this is legislation on the original paragraph; the original paragraph was legislation, and no matter where it was in the bill, it is proposed to change existing law. It does not make any difference where it is. So there is nothing in that point. I will say to the gentleman that the gentleman who offered the amendment does know where to offer it.

Mr. MANN. It does not make any difference if the gentleman is sure that some one is going to make the point of order, but if the gentleman had expected the item to go into the bill he would not have offered it here.

Mr. FINLEY. The gentleman from Illinois does not know what he is talking about, and he is speaking incorrectly.

Mr. MANN. The gentleman ought to know better than to offer the amendment at this point.

Mr. FINLEY. The gentleman from Illinois ought to know better than to make such a statement here.

The CHAIRMAN. In the opinion of the Chair the amendment of the gentleman from South Carolina is legislation, and is subject to a point of order. The point of order is sustained.

Mr. SIMS. Mr. Chairman, I appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Tennessee appeals from the decision of the Chair, and the question is, Shall the decision of the Chair stand as the judgment of the committee?

The question was taken, and the decision of the Chair was held to be the judgment of the committee.

The Clerk read as follows:

For actual and necessary expenses, division superintendents, assistant division superintendents, and chief clerks, Railway Mail Service, and railway postal clerks, while actually traveling on business of the Post Office Department and away from their several designated headquarters, \$27,000.

Mr. CARY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 23, line 7, insert the sum of \$5,000 instead of the sum of \$2,000.

Mr. MANN. Mr. Chairman, I make the point of order that we passed that paragraph some time ago.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For balances due foreign countries, \$734,800, of which sum not exceeding \$247,400 shall be immediately available.

Mr. MANN. Mr. Chairman, I make the point of order to the language on page 26, after the word "dollars," in line 2, unless there may be some good reason for making it immediately available.

Mr. WEEKS. I concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

On page 26, lines 1 and 2, strike out the words "seven hundred and thirty-four thousand eight hundred dollars" and insert in place thereof the words "four hundred and eighty-seven thousand four hundred dollars."

The amendment was agreed to.

The Clerk read as follows:

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL.

For manufacture of adhesive postage stamps, special-delivery stamps, books of stamps, and for coiling of stamps, \$796,000, of which not exceeding \$80,000 shall be immediately available: *Provided*, That no contract for any supplies shall be made by the Post Office Department with any department or bureau of the Government below the cost of such work to the Government.

Mr. MADDEN. Mr. Chairman, I make the point of order on the language after the word "dollars," in line 11, down to and including the word "Government," in line 16, page 26.

Mr. WEEKS. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Line 11, page 26, strike out the words "ninety-six" and insert "sixteen," so that it will read "seven hundred and sixteen thousand dollars."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For manufacture of stamped envelopes and newspaper wrappers, \$1,823,000, of which not exceeding \$300,000 shall be immediately available.

Mr. MANN. Mr. Chairman, I make the point of order on the language after the word "dollars," in line 19.

The CHAIRMAN. Does the gentleman from Massachusetts desire to be heard?

Mr. WEEKS. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. WEEKS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Line 18, strike out the word "eight" and insert "five."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For the manufacture of postal cards, \$451,000, of which not exceeding \$100,000 shall be immediately available.

Mr. MANN. Mr. Chairman, I make the point of order to the paragraph, after the word "five," in line 4.

Mr. WEEKS. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. WEEKS. I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 27, line 3, strike out "four" and insert "three."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For the employment of special counsel, to be appointed by the Attorney General when requested by the Postmaster General, and at compensation to be fixed by the Attorney General not exceeding this temporary appropriation, to prosecute and defend, on behalf of the Post Office Department, all suits now pending or which may hereafter arise affecting the second-class mailing privilege, \$10,000.

Mr. MADDEN. Mr. Chairman, I make the point of order on the paragraph.

Mr. WEEKS. I ask the gentleman to reserve his point of order.

Mr. MADDEN. Mr. Chairman, I will reserve the point of order.

Mr. WEEKS. Mr. Chairman, I asked the gentleman to reserve the point of order to say to him and to the committee that this is an appropriation that has been continued for a good many years. Ten thousand dollars was appropriated some years ago and the unexpended balance was continued on from year to year. I think that it is an appropriation that is necessary.

Mr. MADDEN. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For pay of letter carriers, substitutes for carriers on annual leave, clerks in charge of substations, and tolls and ferriage, Rural Delivery

Service, \$38,790,000: *Provided*, That not to exceed \$20,000 of the amount hereby appropriated may be used for compensation of clerks in charge of substations: *Provided further*, That in the discretion of the Postmaster General the pay of the carrier on the water route on Lake Winnepegaukee who furnishes his own power boat for mail service during the summer months may be fixed at an amount not exceeding \$900 in any one calendar year.

Mr. LEVER. Mr. Chairman, I offer the following amendment—

Mr. WEEKS. Mr. Chairman, I move that the committee do now rise.

Mr. MANN. Mr. Chairman, I reserve the point of order on this paragraph.

The CHAIRMAN. The point of order is reserved on the paragraph by the gentleman from Illinois [Mr. MANN].

Mr. COX of Indiana. Mr. Chairman, pending that motion, I would like to ask unanimous consent to return to page 12, for the purpose of withdrawing a point of order that I made.

Mr. WEEKS. I suggest to the gentleman that he can do that to-morrow.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that my amendment be printed in the Record and considered as pending.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to submit an amendment which may be printed for information. Is there objection? [After a pause.] The Chair hears none.

Mr. LEVER. And considered as pending.

The amendment is as follows:

Amend by inserting, in line 16, on page 30, after the word "dollars," the following:

"*Provided*, That no part of the foregoing sum shall be used in the payment of the salary of any rural carrier where such salary is less than \$1,200 per year on a route of maximum length, and on a shorter route where the salary is less than proportional to that paid for a route of maximum length."

The CHAIRMAN. The question is on the motion of the gentleman from Massachusetts that the committee do now rise.

The question was taken, and the motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. STEVENS of Minnesota, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Post Office appropriation bill (H. R. 31539) and had come to no resolution thereon.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 7713. An act relating to rights of way through certain reservations and other public lands; to the Committee on the Public Lands.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. MORRISON was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Henry J. McBroom, Sixty-first Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BARTHOLDT, indefinitely, on account of death in family.

ADDRESS OF THE PRESIDENT BEFORE NATIONAL TARIFF COMMISSION ASSOCIATION.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent to print in the Record an address recently made by the President before the National Tariff Association.

The SPEAKER. The gentleman from Ohio asks unanimous consent to print in the Record an address recently made by the President before the National Tariff Association in Washington.

Mr. MANN. What is the request?

The SPEAKER. The request made by the gentleman from Ohio is that there may be printed in the Record an address which the President of the United States recently made in the city of Washington before the National Tariff Association. Is there objection? [After a pause.] The Chair hears none.

The address is as follows:

ADDRESS OF PRESIDENT WILLIAM H. TAFT AT THE BANQUET OF THE NATIONAL TARIFF COMMISSION ASSOCIATION, AT THE NEW WILLARD, WASHINGTON, D. C., JANUARY 12, 1911.

Gentlemen of the Tariff Commission Association:

I sincerely hope that your efforts here may be successful. I do not understand that you are here to advocate any economic theory to govern in the imposition of customs duties. I do not understand that you are either a free-trade or a protective organization. What I do understand is that you are here to insist that Congress shall provide for itself an instrumentality by which it may safely and certainly secure the truth in respect to the operation of a general customs law, whether that law is framed on the theory of protection or on a theory of a tariff for revenue only.

You desire the establishment, with governmental support, of a source of correct information as to those facts that are important in determining the operation of customs duties upon the business of this country, which shall enable any proper authority in the Government, whether Congress, or either House of Congress, or the committee of either House having charge of tariff matters, or the Chief Executive, at any time to procure statistical and other information as to the cost of production of articles abroad, the cost of production of articles here, and all the other facts which are useful in framing a tariff bill on any economic theory. I understand your desire is that this body of gentlemen, whether you call them a board, or a commission, or an office, or an agency, shall make it their business to collect this information continuously, so that their records after they have been once brought down to the present time, shall thereafter be added to from month to month and from year to year and shall be thus made to contain the means of giving, promptly upon request, a reliable résumé of the then existing conditions in respect to foreign production, in respect to domestic production, in respect to foreign prices, in respect to domestic prices, and the correlation between them, and the effect of the existing tariff upon domestic trade. Your hope would be that the members appointed to this commission would not allow political bias or tendency or pet economic theory to affect them in the accumulation and analysis of the facts.

You do not desire, if I understand your present resolutions, that these men should fix tariff rates or recommend rates to be fixed. You desire only that they should furnish the correct information upon which the body constitutionally charged with fixing tariff rates may properly act, so that the public may have the truth from the Tariff Commission, and then advise itself how Congress shall have acted with respect to that truthful presentation of a basis for its action.

You do not desire, if I understand your position, that the Tariff Board or Commission should make an annual report, as if it were engaged in the initiative with reference to changes of the existing tariff. The initiative in that matter lies, and should lie, with Congress.

But what you desire is that when Congress, or either House of Congress, or its proper committees, takes the initiative, it shall have a reliable source of information to which to turn in order to know whether changes should be made or whether the existing conditions should continue.

There are those who oppose the existing tariff and criticize it severely. There are those who uphold it as a fair measure on the whole. Now, it seems to me that both may logically and properly support the creation of a commission whose findings, if the former are right, will indicate the necessity for tariff changes; and that the latter may well and consistently support the same commission with the hope and belief that its investigations will show that the present tariff is not unjust or unequal in its operation, or if so, that it is only so in the case of a few schedules.

In other words, the Tariff Commission movement is the seeking of light where in the absence of such an expert and impartial investigation there is almost certain to be darkness and mystery engendering suspicion among the people.

I am not one of those who expect that the Tariff Commission is going to reform the whole situation in such a way that we are to receive from them with mathematical certainty the exact difference in the cost of production here and abroad, or other circumstances that are useful in framing a tariff bill. Matters of that kind are necessarily matters not of exact ascertainment, but of judgment and general average. But I do hope that if the bill passes the results of the labors of the commission will be such that the Congress will have sufficient information to reach a general average of fairness and justice, and that the people will have a reliable means of judging of the correctness of the action of Congress. Then if Congress shall depart from the economic theory of a majority of the people in the action taken upon this reliable information offered, the people will have recourse to the method adopted so often in the past—that of turning out the party in power and putting in a new party to carry out the then prevailing popular theory. But it is of the utmost importance that the action both of Congress and of the people shall be taken on reliable evidence. Anything that tends to make that evidence and the conclusions from it fairer and freer from political bias ought to be encouraged.

I quite agree with this association in favoring a consideration by Congress of separate schedules or separate subjects matter affected by the tariff, so as to prevent the action upon one schedule from being unduly influenced by promised action upon another. It is impossible to avoid this in a general revision. We can deplore so-called logrolling as much as we please, but human nature is disposed to compromise and where there are a very great number of articles subject to tariff and some Members of Congress are interested for their localities in the tariff on one, and others in the tariff on another, it is not unreasonable to expect that the joint result will be a compromise as to both, and in such compromises the interests of the country at large and of the consuming public will not be carefully preserved.

Therefore if we can take up one general subject matter or schedule under the tariff and have it disposed of in each House on its merits I believe we are likely to reach a fairer conclusion than under the system of general revision of the entire tariff at once. How this can be brought about and what rules should be adopted in each House to effect it I have neither the time, the knowledge, or ability to discuss. I hope, however, that some such solution may be reached.

What I am most anxious to avoid in the present movement is a defeat of the bill growing out of a difference as to details. There are many differences of opinion as to the proposed bills, conscientiously entertained, and they are regarded by some as important. A discussion has arisen as to what the name of the body should be. I am indifferent to this. A discussion arises as to whether the body thus constituted should have the power of summoning witnesses and of punishing them for contempt. My own impression is that this method of obtaining evidence is not the most reliable, and is not likely to be very productive of useful information, because the form is necessarily suggestive of hostility to the witness, and the answers of a hostile witness are not full of accurate and unbiased information. Nevertheless, if it is thought useful, I do not object to giving the power to the commission to call witnesses and to put them under oath. The reference of power to punish a witness for contempt in failing to answer, to the action of Congress, is a wise compromise. I value very highly the suggestion of giving to the commission power to assure those furnishing freely information that the details of their particular businesses thus disclosed will be treated as confidential.

In order to secure nonpartisanship in the commission it is proposed that not more than a majority of the commission shall be taken from one party. Such restrictions I have been very much embarrassed by in some of my appointments, and they have made it necessary for me to try to find out the political party of the proposed candidate, when I should have appointed him without inquiring at all but for the requirement. Still, I do not object to this restriction if it is thought wise, because it may give the public more confidence in the commission; nor do I object to the increase of the board from three to five, nor to the confirmation of the President's nominees by the Senate, for they are important officers and should pass the scrutiny of the confirming power.

The truth is that there is a bill with the framing of which I have had nothing to do, but which seems to me to constitute a very well-drawn compromise upon all the differences of detail that have existed between the supporters of various measures. The fact that it bears the name of an Ohio Congressman does not, it seems to me, necessarily detract from its value. I would not mention this bill as distinguished from others but for the fact that it seems to me a conciliatory measure embodying all the important features that are necessary to make the commission effective; and what I am in favor of is a bill which will get through both Houses without acrimonious dispute over unimportant features of the bill and without arousing either jealousy or suspicion, or partisan and unreasonable criticism.

In other words, my friends, I wish to secure a law which shall accomplish something as a law. I am not in the slightest degree concerned as to the credit to be apportioned over the passage of such a law. If its passage inures to the benefit and increases the reputation of a political opponent, well and good. I hope I am broad enough not on that account to oppose it or any feature of it due to his suggestion. What I am anxious about is to secure its enactment in order that the country may have the real benefit that I believe will flow from the results of its operation. The present Tariff Board is working well, but it is dependent wholly on Executive order and an appropriation. It should be made permanent in some form, so that any Congress which may desire to avoid the useful source of information which it will furnish shall have to take the responsibility of repealing the law.

PARCELS POST.

Mr. CALDER. Mr. Speaker, I ask unanimous consent to print in the RECORD an article prepared by the Postal Progress League on the parcels post.

The SPEAKER. The gentleman from New York [Mr. CALDER] asks unanimous consent to print in the RECORD an article from the Postal Progress League on the parcels post.

Mr. MANN. Mr. Speaker, that has already been printed in the RECORD, and I object. If the gentleman wants to extend his remarks, I shall not object.

Mr. CALDER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. MANN. This article has been printed once or twice; at least permission has been given to do so.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. WEEKS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 12 minutes) the House adjourned to meet on Tuesday, January 24, 1911, at 12 o'clock m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Surgeon General of the Public Health and Marine-Hospital Service submitting recommendations as to that service (H. Doc. No. 1307); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for custodianship of public building at St. Paul, Minn. (H. Doc. 1308); to the Committee on Appropriations and ordered to be printed.

3. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Mary H. Letcher, administratrix of estate of Thomas K. Letcher, v. The United States (H. Doc. No. 1309); to the Committee on War Claims and ordered to be printed.

4. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Julia A. Pierce and John Pierce, heirs of estate of John C. Pierce, v. The United States (H. Doc. No. 1310); to the Committee on War Claims and ordered to be printed.

5. A letter from the Secretary of War, transmitting a copy of a letter from the Chief of Engineers submitting an estimate of appropriation for maintenance of wagon road in Mount Rainier National Park and the Rainier Forest Reserve (H. Doc. No. 1311); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. ROBINSON, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 23361) to authorize the sale of certain property in the city of Hot Springs, Ark., to Hot Springs Lodge, No. 62, Ancient Free and Accepted Masons, in restitution for the dispossession of its holdings on the permanent Hot Springs reservation by the United States Hot Springs Commission, reported the same with amendment, accompanied by a report (No. 1963), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COOPER of Pennsylvania, from the Committee on Printing, to which was referred the resolution of the Senate (S. J. Res. 101) providing for the printing of 2,000 copies of Senate Document No. 357, for use of the Department of State, reported the same without amendment, accompanied by a report (No. 1976), which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HOWLAND, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 4239) to amend section 183 of the Revised Statutes, reported the same without amendment, accompanied by a report (No. 1962), which said bill and report were referred to the House Calendar.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 30890) to authorize the Chicago Great Western Railroad Co., a corporation, to construct a bridge across the Mississippi River at St. Paul, Minn., reported the same with amendment, accompanied by a report (No. 1969), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 30793) to authorize the Fargo & Moorhead Street Railway Co. to construct a bridge across the Red River of the North, reported the same with amendment, accompanied by a report (No. 1970), which said bill and report were referred to the House Calendar.

Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 31171) to amend an act entitled "An act to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Liberty Bridge Co.," approved March 2, 1907, reported the same with amendment, accompanied by a report (No. 1971), which said bill and report were referred to the House Calendar.

Mr. HUBBARD of West Virginia, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 31239) to authorize Park C. Abell, George B. Lloyd, and Andrew B. Sullivan, of Indianhead, Charles County, Md., to construct a bridge across the Mattawoman Creek, near the village of Indianhead, Md., reported the same without amendment, accompanied by a report (No. 1972), which said bill and report were referred to the House Calendar.

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 31661) to authorize the Secretary of Commerce and Labor to transfer the lighthouse tender *Wistaria* to the Secretary of the Treasury, reported the same without amendment, accompanied by a report (No. 1973), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6702) to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto, reported the same with amendment, accompanied by a report (No. 1974), which said bill and report were referred to the House Calendar.

Mr. CARLIN, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 31657) to authorize United States marshals and their respective chief office deputies to administer certain oaths, reported the same with amendment, accompanied by a report (No. 1977), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. ADAIR, from the Committee on Claims, to which was referred the bill of the House (H. R. 26606) for the relief of Charles A. Caswell, reported the same with amendment, accompanied by a report (No. 1964), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 26607) for the relief of Richard W. Clifford, reported the same with amendment, accompanied by a report (No. 1965), which said bill and report were referred to the Private Calendar.

Mr. HAWLEY, from the Committee on Claims, to which was referred the bill of the Senate (S. 3897) for the relief of the heirs of Charles F. Atwood and Ziba H. Nickerson, reported the same with amendment, accompanied by a report (No. 1966), which said bill and report were referred to the Private Calendar.

Mr. GOLDFOGLE, from the Committee on Claims, to which was referred the bill of the Senate (S. 3097) for the relief of Douglas C. McDougal, reported the same without amendment, accompanied by a report (No. 1975), which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the resolution of the House (H. Res. 843) of inquiry relative to paint shipped to Panama, reported the same adversely, accompanied by a report (No. 1967), which said bill and report were laid on the table.

Mr. MILLER of Minnesota, from the Committee on Private Land Claims, to which was referred the bill of the House (H. R. 23957) providing for the payment of certain land claims, reported the same adversely, accompanied by a report (No. 1968), which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 10312) authorizing the payment to the administrator of the late Ephraim Perkins, captain, of the value of his three-fourths of brigantine *Eliza* and cargo illegally captured by the French as ascertained by the Court of Claims; Committee on War Claims discharged, and referred to the Committee on Claims.

A bill (H. R. 31701) granting a pension to John Waalkes; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STEENERSON: A bill (H. R. 31917) to amend section 17 of an act entitled "An act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes;" to the Committee on Indian Affairs.

By Mr. MADDEN: A bill (H. R. 31918) fixing the price of gas in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HANNA: A bill (H. R. 31919) granting certain public lands to the State of North Dakota for educational purposes; to the Committee on the Public Lands.

By Mr. GRAHAM of Illinois: A bill (H. R. 31920) providing for the allotment of the Camp McDowell Indian Reservation; to the Committee on Indian Affairs.

By Mr. STEPHENS of Texas: A bill (H. R. 31921) to allot the lands of the Mescalero Indian Reservation in New Mexico and to sell and lease the residue; to the Committee on Indian Affairs.

By Mr. SLEMP: A bill (H. R. 31922) to authorize the Virginia Iron, Coal & Coke Co. to build a dam across the New River near Foster Falls, Wythe County, Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. STEENERSON: A bill (H. R. 31923) to create a commission to make a census classification and roll of all the Chipewa Indians on White Earth Reservation in Minnesota; to the Committee on Indian Affairs.

By Mr. PARKER: A bill (H. R. 31924) as to medals of honor; to the Committee on Military Affairs.

By Mr. AIKEN: A bill (H. R. 31925) authorizing the building of a dam across the Savannah River at Cherokee Shoals; to the Committee on Interstate and Foreign Commerce.

By Mr. **LOWDEN**: A bill (H. R. 31926) permitting the building of a dam across Rock River near Byron, Ill.; to the Committee on Interstate and Foreign Commerce.

By Mr. **MILLER** of Minnesota: A bill (H. R. 31927) authorizing the town of Blackberry to construct a bridge across the Mississippi River in Itasca County, Minn.; to the Committee on Interstate and Foreign Commerce.

By Mr. **CANDLER**: A bill (H. R. 31928) to authorize the construction, maintenance, and operation of a bridge across the Tombigbee River near Iron Wood Bluff in Itawamba County, Miss.; to the Committee on Interstate and Foreign Commerce.

By Mr. **CLAYTON**: A bill (H. R. 31929) to extend the time for the completion of the dam across the Choctawhatchee River in Dale County, Ala., by A. J. Smith and his associates; to the Committee on Interstate and Foreign Commerce.

By Mr. **HAMILTON**: A bill (H. R. 31930) granting to Herman L. Hartenstein the right to construct a dam across the St. Joseph River near Mottville, St. Joseph County, Mich.; to the Committee on Interstate and Foreign Commerce.

By Mr. **SLEMP**: A bill (H. R. 31931) authorizing the Ivanhoe Furnace Corporation, of Ivanhoe, Wythe County, Va., to erect a dam across New River; to the Committee on Interstate and Foreign Commerce.

By Mr. **STEPHENS** of Texas: Resolution (H. Res. 928) seeking information in relation to the Camp McDowell Apache Indian Reservation lands, etc.; to the Committee on Indian Affairs.

By Mr. **HEFLIN**: Joint resolution (H. J. Res. 275) authorizing the Director of the Census to collect and publish additional cotton statistics; to the Committee on the Census.

By Mr. **FOSTER** of Vermont: Memorial of the Legislature of Vermont disapproving of any change in the existing laws relating to oleomargarine; to the Committee on Agriculture.

Also, a memorial of the Legislature of Vermont, in favor of parcels post; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. **AMES**: A bill (H. R. 31932) granting a pension to Josephine McFarland; to the Committee on Invalid Pensions.

By Mr. **ADAMSON**: A bill (H. R. 31933) granting an increase of pension to Anna K. Rhoades; to the Committee on Invalid Pensions.

By Mr. **ANDERSON**: A bill (H. R. 31934) granting a pension to Anna Rose Petty; to the Committee on Invalid Pensions.

By Mr. **AUSTIN**: A bill (H. R. 31935) granting a pension to John R. Kerley; to the Committee on Invalid Pensions.

By Mr. **BOEHNE**: A bill (H. R. 31936) granting an increase of pension to Willard D. Cook; to the Committee on Pensions.

By Mr. **BROUSSARD**: A bill (H. R. 31937) to carry into effect the findings of the Court of Claims in the case of James A. Verret, administrator of the estate of Adolph Verret, deceased; to the Committee on War Claims.

By Mr. **BURLEIGH**: A bill (H. R. 31938) granting an increase of pension to Rufus N. Brown; to the Committee on Invalid Pensions.

By Mr. **BURNETT**: A bill (H. R. 31939) granting an increase of pension to Mary L. Reid; to the Committee on Pensions.

By Mr. **BYRD**: A bill (H. R. 31940) to carry into effect the findings of the Court of Claims in the case of G. B. Harper and J. D. Clearman, executors of the estate of William L. Clearman, deceased; to the Committee on War Claims.

Also, a bill (H. R. 31941) to carry into effect the findings of the Court of Claims in the case of J. P. Harvey, administrator of the estate of Matilda B. Harvey, deceased; to the Committee on War Claims.

By Mr. **CAMPBELL**: A bill (H. R. 31942) granting an increase of pension to Horace E. Park; to the Committee on Invalid Pensions.

By Mr. **CANNON**: A bill (H. R. 31943) granting a pension to Cynthia J. Henderson; to the Committee on Invalid Pensions.

By Mr. **CARLIN** (by request): A bill (H. R. 31944) for the relief of the heirs of Charles L. Morton; to the Committee on Claims.

Also (by request), a bill (H. R. 31945) for the relief of the Southern Railway Co.; to the Committee on Claims.

By Mr. **CLARK** of Missouri: A bill (H. R. 31946) granting an increase of pension to Bernard T. Maupin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31947) granting an increase of pension to William H. McGary; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31948) granting an increase of pension to James Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31949) granting an increase of pension to David McMiller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31950) granting an increase of pension to William H. Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31951) granting an increase of pension to James C. Rule; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31952) granting an increase of pension to Thomas Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31953) granting a pension to Mary Aubrey; to the Committee on Pensions.

Also, a bill (H. R. 31954) for the relief of the heirs of J. J. West; to the Committee on War Claims.

Also, a bill (H. R. 31955) for the relief of Levant C. Dingman; to the Committee on Military Affairs.

By Mr. **COUDREY**: A bill (H. R. 31956) granting a pension to Paul Heineman; to the Committee on Pensions.

By Mr. **DAVIDSON**: A bill (H. R. 31957) granting an increase of pension to Albert M. Cole; to the Committee on Invalid Pensions.

By Mr. **DAWSON**: A bill (H. R. 31958) for the relief of Charles W. Tappan; to the Committee on Military Affairs.

By Mr. **DICKINSON**: A bill (H. R. 31959) granting a pension to Margaret Taylor; to the Committee on Invalid Pensions.

By Mr. **DWIGHT**: A bill (H. R. 31960) for the relief of Paul L. Whitmarsh; to the Committee on War Claims.

By Mr. **ELVINS**: A bill (H. R. 31961) granting an increase of pension to Benjamin F. Lemon, alias Lemmon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31962) granting an increase of pension to Samuel E. Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31963) granting a pension to John W. McDowell; to the Committee on Invalid Pensions.

By Mr. **FULLER**: A bill (H. R. 31964) granting an increase of pension to John Woolery; to the Committee on Invalid Pensions.

By Mr. **GILLET**: A bill (H. R. 31965) granting a pension to Adeline E. Ferrell; to the Committee on Invalid Pensions.

By Mr. **GODWIN**: A bill (H. R. 31966) for the relief of the Atlantic Coast Line Railroad Co.; to the Committee on Claims.

By Mr. **HANNA**: A bill (H. R. 31967) granting an increase of pension to William Stevens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31968) for the relief of Ethel M. Young; to the Committee on the Public Lands.

By Mr. **HAY**: A bill (H. R. 31969) to carry into effect the findings of the Court of Claims in the case of Caroline Carter; to the Committee on War Claims.

Also, a bill (H. R. 31970) to carry into effect the findings of the Court of Claims in the case of T. F. Gough, administrator of estate of Mary A. Gough, deceased; to the Committee on War Claims.

By Mr. **HULL** of Iowa: A bill (H. R. 31971) granting an increase of pension to William L. Carpenter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31972) granting an increase of pension to Christian H. Gross; to the Committee on Invalid Pensions.

By Mr. **HULL** of Tennessee: A bill (H. R. 31973) granting an increase of pension to Ade Hayes Garrett; to the Committee on Invalid Pensions.

By Mr. **JAMIESON**: A bill (H. R. 31974) granting an increase of pension to Albert N. Mateer; to the Committee on Invalid Pensions.

By Mr. **JOHNSON** of Kentucky: A bill (H. R. 31975) granting a pension to Elijah F. Hocker; to the Committee on Invalid Pensions.

By Mr. **KINKEAD** of New Jersey: A bill (H. R. 31976) granting an increase of pension to Bernard Murphy; to the Committee on Invalid Pensions.

By Mr. **KÜSTERMANN**: A bill (H. R. 31977) granting an increase of pension to Josiah Blackwood; to the Committee on Invalid Pensions.

By Mr. **LAWRENCE**: A bill (H. R. 31978) granting a pension to Mary Flanders Howard; to the Committee on Invalid Pensions.

By Mr. **LUNDIN**: A bill (H. R. 31979) granting a pension to William H. Mayo; to the Committee on Pensions.

By Mr. **McKINLEY** of Illinois: A bill (H. R. 31980) granting an increase of pension to Henry C. Wilson; to the Committee on Invalid Pensions.

By Mr. **MACON**: A bill (H. R. 31981) granting an increase of pension to Amos P. Caldwell; to the Committee on Invalid Pensions.

By Mr. MARTIN of South Dakota: A bill (H. R. 31982) granting an increase of pension to Carson J. Harman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31983) granting an increase of pension to Stephen Virtue; to the Committee on Invalid Pensions.

By Mr. MASSEY: A bill (H. R. 31984) granting an increase of pension to Levy L. Faucher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31985) granting an increase of pension to Joseph Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31986) granting a pension to Charles R. Hodges; to the Committee on Pensions.

By Mr. MAYS: A bill (H. R. 31987) providing for the releasing of the claim of the United States Government to arpent lot No. 44 in the old city of Pensacola, Fla.; to the Committee on the Public Lands.

By Mr. MOON of Tennessee: A bill (H. R. 31988) granting an increase of pension to Malinda Peak; to the Committee on Invalid Pensions.

By Mr. MORGAN of Oklahoma: A bill (H. R. 31989) to remove the charge of desertion from the military record of Alonzo Northrup and grant him an honorable discharge; to the Committee on Military Affairs.

Also, a bill (H. R. 31990) to remove the charge of desertion from the military record of John Ernst and grant him an honorable discharge; to the Committee on Military Affairs.

Also, a bill (H. R. 31991) authorizing the Secretary of the Interior to convey by patent a certain lot in the city of Alva, Okla.; to the Committee on the Public Lands.

Also, a bill (H. R. 31992) granting an increase of pension to James L. Saling; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 31993) granting an increase of pension to William H. Bell; to the Committee on Pensions.

By Mr. PADGETT: A bill (H. R. 31994) granting an increase of pension to Fountain P. Kephart; to the Committee on Invalid Pensions.

By Mr. A. MITCHELL PALMER: A bill (H. R. 31995) granting an increase of pension to James Riley; to the Committee on Pensions.

By Mr. PAYNE: A bill (H. R. 31996) granting an increase of pension to Edwin Richmond; to the Committee on Invalid Pensions.

By Mr. PICKETT: A bill (H. R. 31997) granting a pension to Hila Allbee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31998) granting an increase of pension to Daniel E. Sickles; to the Committee on Invalid Pensions.

By Mr. PLUMLEY: A bill (H. R. 31999) granting a pension to Carl H. Ellis; to the Committee on Pensions.

By Mr. RAUCH: A bill (H. R. 32000) granting an increase of pension to Josiah Ferguson; to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 32001) granting a pension to Herbert Green; to the Committee on Pensions.

Also, a bill (H. R. 32002) granting an increase of pension to Hezekiah Overstreet; to the Committee on Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 32003) to remove the charge of desertion from the military record of Michael Carter; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDERSON: Paper to accompany bill for relief of George J. Borer; to the Committee on Invalid Pensions.

By Mr. ANSBERRY: Petition of J. H. Stag, of Blakeslee, Ohio, against a rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. ALEXANDER of Missouri: Petition of many residents and business firms of Stanbury and Grant City, Mo., against a rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. BARCLAY: Petition of Pleasant Hill Grange, No. 1405, Munson Station, Pa., for Senate bill 5842; to the Committee on Agriculture.

By Mr. BENNET of New York: Petition of William S. Bennet, for a government for the District of Columbia based on votes of the people; to the Committee on the District of Columbia.

By Mr. BOWERS: Petition of citizens of the sixth Mississippi congressional district, against a parcels-post system; to the Committee on the Post Office and Post Roads.

Also, petition of Woman's Literary Club, of Gulfport, Miss., favoring investigation of causes of tuberculosis, typhoid fever,

and other diseases originating in dairy products; to the Committee on Agriculture.

By Mr. CALDER: Petition of Painters, Decorators, and Paperhangers' Local Union No. 1006, for repeal of tax on oleomargarine; to the Committee on Agriculture.

By Mr. CALDERHEAD: Petition of employees of the Union Pacific Railway Co. in Kansas, in support of railways in their efforts to secure a higher rate for the transportation they furnish; to the Committee on Interstate and Foreign Commerce.

By Mr. CAMPBELL: Paper to accompany bill for relief of Horace E. Park; to the Committee on Invalid Pensions.

By Mr. CARLIN: Papers to accompany bills for relief of heirs of Charles L. Morton and the Southern Railway Co.; to the Committee on Claims.

By Mr. COUDREY: Paper to accompany bill for relief of Paul Heineman; to the Committee on Pensions.

By Mr. COX of Indiana: Petition of Tell City Brewing Co., against the tariff on barley; to the Committee on Ways and Means.

Also, petition of citizens of the third congressional district of Indiana, against extension of parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. DALZELL: Paper to accompany bill for relief of James Searight; to the Committee on Invalid Pensions.

By Mr. DICKINSON: Paper to accompany bill for relief of Thomas J. Crosby; to the Committee on Invalid Pensions.

Also, petition of Frye & Bartling and 28 other citizens of Lockwood, Mo., and J. F. Joplin, of Mount Zion, Mo., protesting against the parcels-post bill; to the Committee on the Post Office and Post Roads.

By Mr. DRAPER: Petition of Cornelius J. Smith and others, for defeat of the Penrose bill relative to sale of oleomargarine; to the Committee on Agriculture.

By Mr. DWIGHT: Petition of W. Franklin Moore and other members of the Dryden Business Men's Association, favoring parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of H. J. Shaibley and 29 others, of Leonore, Ohio, in favor of a parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of John H. McGee, Ironton, Ohio, for increased pensions for Union soldiers of the Civil War who lost an arm or leg; to the Committee on Invalid Pensions.

Also, petition of A. D. Early, of Rockford, Ill., favoring the militia pay bill, H. R. 28436; to the Committee on Militia.

Also, petition of F. S. Moore, of Oakland, Cal., indorsing San Francisco as site for the Panama Exposition; to the Committee on Industrial Arts and Expositions.

By Mr. GARNER of Texas: Petition of citizens of the fifteenth congressional district of Texas, against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. GRAHAM of Illinois: Petition of Floyd Whittemore, of Lanesville; merchants of Coffeen, and merchants of Morrisonville, all in the State of Illinois, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of Nokomis (Ill.) Motor Club, favoring bill (H. R. 5167) for Federal registration of motor vehicles; to the Committee on Interstate and Foreign Commerce.

Also, petition of merchants of Stonington, Ill., against local rural parcels-post service; to the Committee on the Post Office and Post Roads.

Also, petition of merchants of Virden, Ill., against parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. GRIEST: Memorial of Religious Society of Friends of Pennsylvania, New Jersey, and Delaware, deploring the proposal to fortify the Panama Canal; to the Committee on Railways and Canals.

By Mr. GRONNA: Petition of F. J. Walker, of Fort Benson, and citizens of Kintyre, in the State of North Dakota, against a parcels-post system; to the Committee on the Post Office and Post Roads.

By Mr. HANNA: Petition of citizens of North Dakota, against rural parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of business men of Mayville, N. Dak., favoring S. 3778; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of North Dakota, for H. R. 26791, the Hanna bill, providing additional compensation to rural free-delivery carriers; to the Committee on the Post Office and Post Roads.

By Mr. HAYES: Petition of the Cannerymen's League of California, for any reasonable amendment to the food and drugs act of June 30, 1906, for marking net weight or measure on all labels of food products, and in such amendment a provision regarding goods as misbranded unless name of the manufacturer,

canner, or packer is on each label; to the Committee on Agriculture.

By Mr. HENRY of Texas: Petition against parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of the eleventh congressional district of Texas, against rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. HOWELL of New Jersey: Petition of residents of Long Branch, N. J., for increasing efficiency of the Life-Saving Service by retirement of members; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWELL of Utah: Petition of George Beard and others, of Coalville, and Charles W. Goodlife, of Park Valley, Utah, against the establishment of a local rural parcels-post service on the rural delivery routes; to the Committee on the Post Office and Post Roads.

By Mr. HUFF: Petition of Pride of the Valley Council, No. 105, Junior Order United American Mechanics, of Arnold, and Branch No. 113, Glass Bottle Blowers' Association, of Jeannette, in the State of Pennsylvania, against unrestricted admission of immigrants; to the Committee on Immigration and Naturalization.

Also, petition favoring investigation of causes of tuberculosis, typhoid fever, and other diseases originating in dairy products; to the Committee on Agriculture.

By Mr. HUMPHREY of Washington: Petition of citizens of Washington, against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. JAMES: Petition of citizens of Paducah, Ky., against parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. JOYCE: Paper to accompany bill for relief of John W. Benson; to the Committee on Military Affairs.

By Mr. KENNEDY of Ohio: Petition of citizens of the eighteenth Ohio congressional district, against a local rural parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of Trades and Labor Council of East Liverpool, Ohio, for repeal of tax on oleomargarine; to the Committee on Agriculture.

Also, petition of William McKinley Lodge, No. 318, Junior Order United American Mechanics, for more stringent laws relative to immigrants; to the Committee on Immigration and Naturalization.

By Mr. KOPP: Petition of citizens of the third Wisconsin congressional district, against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. LINDBERGH: Resolutions adopted by the Minnesota National Guard Association, indorsing measures relating to compensation of officers and enlisted men of the Organized Militia; to the Committee on Militia.

Also, petition from Cold Spring Brewing Co., Cold Spring, Minn., asking for removal of duty on barley; to the Committee on Ways and Means.

Also, petition of citizens of Eagle Bend and Foley, Minn., against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. LATTA: Petition of many citizens and business men of Allen, Bloomfield, Elgin, Bancroft, and Walthill, in the State of Nebraska, against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. McDERMOTT: Petition of International Brotherhood of Blacksmiths and Helpers, Energy Union, No. 122, for repeal of the 10 cent per pound tax on oleomargarine; to the Committee on Agriculture.

By Mr. McLAUGHLIN of Michigan: Paper to accompany bill for relief of John Waalkes (previously referred to the Committee on Invalid Pensions); to the Committee on Pensions.

By Mr. MAGUIRE of Nebraska: Petition of business men of Palmyra and Louisville, Nebr., against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of Melinda Peck; to the Committee on Invalid Pensions.

By Mr. MOORE of Texas: Petition of business firms of Jewett and Houston, Tex., against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. O'CONNELL: Petition of Massachusetts Branch American Federation of Labor, for amending the oleomargarine law; to the Committee on Agriculture.

By Mr. PADGETT: Paper to accompany bill for relief of Fountain P. Kephart; to the Committee on Invalid Pensions.

Also, petition of citizens of the seventh Tennessee congressional district, against a parcels-post system; to the Committee on the Post Office and Post Roads.

By Mr. A. MITCHELL PALMER: Petition of B. R. Stys, brewer, of Easton, Pa., for reduction of duty on malt, etc.; to the Committee on Ways and Means.

By Mr. PLUMLEY: Paper to accompany bill for relief of Carl H. Ellis; to the Committee on Invalid Pensions.

By Mr. PUJO: Petition of Live Oak Camp, No. 462, for the Dodds bill, No. 22239; to the Committee on the Post Office and Post Roads.

By Mr. SHEPPARD: Paper to accompany bill for relief of Caleb A. Worley; to the Committee on Invalid Pensions.

By Mr. SHARP: Petition of citizens of Bellevue, Ohio, against a rural parcels-post system; to the Committee on the Post Office and Post Roads.

Also, memorial of the Walla Walla Trades and Labor Council, relating to the disposition of the cavalry post at Fort Walla Walla, in Washington; to the Committee on Military Affairs.

By Mr. SMITH of Michigan: Petition of Yakeley Bros., of Lansing, Mich., and the Commercial Savings Bank, of Fenton, Mich., against rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. TOWNSEND: Petition of citizens of Chelsea, Mich., for House bill 23641, the Miller-Curtis bill; to the Committee on the Judiciary.

Also, petition of Cigar Makers' Union, Battle Creek, Mich., for repeal of tax on oleomargarine; to the Committee on Agriculture.

SENATE.

TUESDAY, January 24, 1911.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.
The Journal of yesterday's proceedings was read and approved.

ORDER OF BUSINESS.

Mr. CLAPP. While I recognize that it is somewhat unusual, yet at the request of several Senators I am going to ask that House bill 28406, being the Indian appropriation bill, be now laid before the Senate for consideration.

Mr. DILLINGHAM. Before morning business is concluded?

Mr. CLAPP. I make that suggestion.

The VICE PRESIDENT. The Senator from Minnesota requests unanimous consent that House bill 28406 be now taken up by the Senate for consideration. Is there objection?

Mr. OVERMAN. I ask the Senator from Minnesota to yield to me for a moment to present some morning business.

Mr. SMOOT. Why not have morning business called first?

Mr. CLAPP. I yield for morning business. I made the suggestion at the request of Senators. I know that it is an unusual course to pursue. If Senators desire to proceed with morning business I withdraw the request.

The VICE PRESIDENT. The Senator from Minnesota withdraws his request.

TRADE IN ARGENTINA.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Commerce and Labor, transmitting, pursuant to law, a report by Commercial Agent James D. Whelpley on trade development in Argentina (S. Doc. No. 781), which was ordered to be printed and, with the accompanying report, referred to the Committee on Commerce.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the Legislature of the State of Nevada, which was referred to the Committee on Industrial Expositions, and ordered to be printed in the RECORD, as follows:

NEVADA STATE LEGISLATURE,
Carson City, Nev., January 23, 1911.

To PRESIDENT OF THE SENATE,
Washington, D. C.:

We have the honor to transmit by telegraph the following memorial and joint resolution which this day passed the Legislature of the State of Nevada:

Senate memorial and joint resolution relative to the proposed Panama Canal exposition.

Whereas the State of California is asking the Congress of the United States to give its sanction to the holding at the city of San Francisco of an exposition fittingly to celebrate the completion of the Panama Canal in which the nations of the world are to be invited to participate; and

Whereas the city of San Francisco is the metropolis and is situated on the best harbor of the Pacific coast of the United States, and its people, after having met with the greatest catastrophe that has befallen any great city in modern times, have in the short space of four years rebuilt the city on nobler proportions than before, so that to-day it is in physical construction the most modern city in the world, an accomplishment of scarcely less magnitude than that of the building of the Panama Canal itself; and